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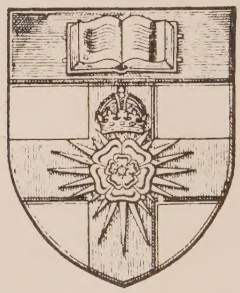

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HANSARD'S

PARLIAMENTARY DEBATES:

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

11° VICTORIÆ, 1847 (b).

VOL. XCV.

COMPRISING THE PERIOD FROM

THE EIGHTEENTH DAY OF NOVEMBER,

TO

THE TWENTIETH DAY OF DECEMBER, 1847.

First Volume of the Session.

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1848.

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TABLE OF CONTENTS

TO

VOLUME XCV.

THIRD SERIES.

I. Subjects of Debate in the House of Lords.
II. Subjects of Debate in the House of Commons.
III. Lists of Divisions.

I. Subjects of Debate in the House of Lords.

1847.		Page
Nov. 18.	Meeting of Parliament—Parliament opened by Commission—The Commons summoned to the Bar of the House, and ordered to choose a Speaker, and to present the Person chosen To-morrow at Two o'Clock for Her Majesty's Royal Approbation	1
19.	Speaker of the House of Commons—Presentation of Mr. Shaw Lefevre to the Lords Commissioners as the Person whom the Commons had chosen as their Speaker—Her Majesty's Approval of the Speaker signified by the Lords Commissioners ...	8
22.	*The whole Sitting occupied in Swearing such Lords as presented themselves*	11
23.	Speech of the Lords Commissioners—The Lord President, in pursuance of Her Majesty's Commands, delivered the Speech to both Houses of Parliament	11
	Address in Answer to the Speech moved by the Earl of Yarborough—Address agreed to	14
25.	The Queen's Answer to the Address—The Lord Chamberlain (Earl Spencer) brought up Her Majesty's Most Gracious Answer to the Address—Address and Answer to be Printed and Published	207

1847.		Page
Nov. 25.	The Slave Trade—Questions	207
	Commercial Distress—Question	207
	Public Business—Question	208
	The Government and the Bank—Question	209
26.	The Bank of England—Presentation of Papers, and Explanation of Previous Question by Earl Grey	218
	Committee on the Bank Charter Act—Question ...	220
30.	Hypothecation of Goods in India—Motion of the Earl of Ellenborough for the Production of Papers—Motion agreed to ...	366
Dec. 2.	Murders in Ireland—Presentation of a Petition by Lord Farnham	478
	The Currency—Commercial Distress—Motion of the Marquess of Lansdowne, "That a Secret Committee of this House be appointed to Inquire into the Causes of the Distress which has for some Time prevailed among the Commercial Classes, and how far it has been affected by the Laws for Regulating the Issue of Bank Notes Payable on Demand"—Motion (with a Verbal Alteration suggested by Lord Stanley) agreed to ...	481
3.	The State of Ireland—Motion of the Duke of Richmond for the Production of Papers—Motion agreed to	594
6.	Roman Catholic Bulls—Presentation of a Petition by the Bishop of St. Asaph	674
	Denunciations by the Roman Catholic Priests in Ireland—Questions and Explanation, and Debate thereon ...	675
9.	Ministers' Money (Ireland)—Presentation of a Petition by Lord Campbell	855
	Crime in Ireland—Presentation of Petitions by Lord Farnham ...	856
13.	Spiritual Destitution of Devonport—Presentation of a Petition by the Bishop of Exeter	963
14.	Case of H. A. Brown—Presentation of a Petition by Lord Brougham	1045
	Military and Naval Medals—Question and Explanation ...	1051
	The Court of Rome—The Earl of Minto—Question and Explanation	1052
	The Affairs of Switzerland—Question and Explanation ...	1062
15.	Crime and Outrage (Ireland) Bill—The Second Reading of the Bill	1123
	Railways Bill—The Second Reading of the Bill ...	1123
16.	Crime and Outrage (Ireland) Bill—Order of the Day read—Motion of the Marquess of Lansdowne, "That the House resolve itself into Committee on the Bill for the better Prevention of Crime and Outrage in certain Parts of Ireland"—Motion agreed to—House in Committee—Bill Reported without Amendment	1182
	Public Works (Ireland) Bill—The Second Reading of the Bill ...	1230
17.	The Naval and Military Medals—Question	1336
	Dr. Hampden—The Bishops' Remonstrance—Question and Explanation	1337
	Crime and Outrage (Ireland) Bill—The Third Reading of the Bill—Bill passed	1341

1847. *Page*

Dec. 17. Public Works (Ireland)—House in Committee—House resumed—Bill reported without Amendment—Standing Orders, Nos. 26 and 155 dispensed with—The Third Reading of the Bill—Bill passed, after a Division 1342

20. Roman Catholic Absolution—Presentation of a Petition by Lord Brougham 1405

Audit of Railway Accounts Bill—The First Reading of the Bill 1405

Poor Law (Ireland)—Presentation of Papers by the Marquess of Lansdowne 1406

Real Property Commission—Motion of Lord Brougham for the Production of Papers 1407

State of Public Business—Motion of the Marquess of Lansdowne, "That the House do now Adjourn to Thursday, February 3rd, 1848"—Motion agreed to 1412

II. Subjects of Debate in the House of Commons.

Nov. 18. Choice of a Speaker—Motion of Lord Seymour, "That the Right Hon. Charles Shaw Lefevre do take the Chair"—Motion carried *nemine contradicente* 3

19. Approval of the Speaker—Statement of the Speaker, That he had been to the House of Peers, and that the Lords Commissioners had confirmed his Appointment, with the Assurance of Her Majesty's Sanction thereto, &c.—The Speaker afterwards took the Oaths alone—the Remainder of the Day occupied in Swearing Members 10

20. *The whole Sitting occuped in Swearing Members* ... 11

22. *The whole Sitting occupied in Swearing Members* ... 11

23. Address in Answer to the Speech—The Speaker reported the Lords Commissioners' Speech to the House—Motion of Mr. Heywood, "That an Humble Address be Presented to Her Majesty, conveying the Thanks of this House for the Communication from the Throne"—Amendment of Mr. H. Grattan, "To omit all the words of the Motion after the word 'that,' and to insert certain other words (moved by the hon. Member) in their place"—Amendment withdrawn—Motion agreed to, and Committee appointed to draw up an Address ... 64

24. The Poor Law Commission—Question 148

The Under Secretary for the Colonies—Question ... 149

Admiral Napier's Portuguese Pension—Question and Explanation 149

Bank Charter Act—Question 150

Report on the Address—Report on the Address in Answer to Her Majesty's Most Gracious Speech brought up and read—On Question that it be read a Second Time—Agreed to—Report read a Second Time, and ordered to be Presented to Her Majesty by the Mover and Seconder, and such Members of the House as were of the Privy Council 151

1847. Page

Nov. 25. Edinburgh Election—Letter received from Mr. Cowan the newly-elected Member for Edinburgh, declining to take the Oaths and his Seat, read to the House by the Speaker ... 209
Business of the House—Suggestion of Mr. Brotherton, That the Orders of the Day should take Precedence of the Notices until after the Christmas Holidays 210
The Bank of England—Motion of Mr. Hindley for the Production of Papers—Motion agreed to 210
Entailed Estates (Scotland)—Question 211
Law of Settlement—Question 211
Bribery and Corruption—Question 211
Roman Catholic Charities and Disabilities—Motion of Mr. Chisholm Anstey, "For Leave to bring in a Bill to Amend the Laws relating to the Charities of Roman Catholics"—Motion agreed to 211
Captain Morris and the Roman Catholic Clergy of Cashel—Motion of Mr. Maher for the Production of Papers—Motion agreed to 214
Excise Laws—Question 217

26. Private Business—Motion of Mr. Labouchere, "That a Select Committee be appointed to consider whether any, and what Improvement can be adopted in the Mode of conducting Private Business," &c.—Motion agreed to 221
Answer to the Address—Presentation by Lord M. Hill of Her Majesty's Answer to the Commons' Address ... 227
Excise Regulations—Malt—Question 227
Assistant Under Secretary for the Colonies—Question ... 228
Bank Charter Act—Question 228
Railways—Motion of the Chancellor of the Exchequer for leave to bring in a Bill—Motion agreed to—Motion of the Chancellor of the Exchequer "For the Appointment of a Committee on Railway Bills of this Session," also agreed to 228
Business of the House—Motion of Sir J. Pakington, "That Orders of the Day should have Precedence of Motions on Tuesdays and Thursdays"—Motion withdrawn 248
The Rajah of Sattara—Motion of Mr. Hume for the Production of Papers—Motion agreed to 252

29. Health of Towns—Question 265
Relief Money (Ireland)—Question and Explanation ... 266
Banking—Scotland and Ireland—Question 268
Hop Duty—Excise Laws—Question 268
Isle of Man—Question 269
Supply—House in Committee of Supply—The Passages in Her Majesty's Speech relating to Supply read—Motion of Mr. Parker, "That the Supply be granted to Her Majesty"—Motion agreed to 269
Crime and Outrage (Ireland)—On the Motion of Sir G. Grey, so much of Her Majesty's Speech as related to Ireland was read by the Clerk—Motion of Sir G. Grey, "For Leave to bring in a Bill for the better Prevention of Crime and Outrage in certain Parts of Ireland"—Amendment of Mr. Wakley, "That it is not just to the People of Ireland to Enact any Bill of a Coercive Character, without at the same time Enacting Measures with a view to give Permanent Relief"—Motion of Mr. Reynolds, "That the Debate be Adjourned"—Mr. Reynolds' Motion withdrawn—Mr. Wakley's Amendment negatived—Division Lists, &c.—Original Motion agreed to on a Division—Leave given—The First Reading of the Bill 270

1847.

		Page
Nov. 30.	Amalgamation of Turnpike Trusts—Motion of Mr. Frewen, relative to the Amalgamation of Turnpike Trusts—Motion withdrawn	368
	Measures for Ireland—Questions	370
	Switzerland—Questions	372
	Law of Marriage—Question	373
	County Courts—Question	374
	Commercial Distress—Motion of the Chancellor of the Exchequer, "That a Select Committee be appointed to Inquire into the Causes of the recent Commercial Distress, and how far it has been affected by the Laws for Regulating the Issue of Bank Notes payable on demand"—Amendment of Mr. J. Wilson, "That all the words after the word 'inquire' be omitted, for the purpose of inserting the following words, 'how far the recent Commercial Distress has been affected by the Laws for Regulating the Issue of Bank Notes payable on demand'"—Debate Adjourned	375
	Expenditure of the Irish Loan—Motion of Major Blackall for the Production of Papers—Motion withdrawn ...	477
Dec. 2.	Taxation of Suitors—Motion of Mr. Romilly, "For the Appointment of a Select Committee to Inquire into and Report to the House on the Taxation of Suitors in the Courts of Law and Equity by the Collection of Fees," &c.—Motion agreed to ...	518
	Poor Law Administration Act—Motion of Mr. Bankes for Leave to bring in a Bill—Motion withdrawn	519
	Irish Estates in Chancery—Motion of Mr. B. Osborne for the Production of Papers—Motion withdrawn	525
	Court of Criminal Appeal—Question and Explanation ...	527
	Pauper Lunatic Asylum—Question	530
	Commercial Distress—Adjourned Debate—Order of the Day for resuming the Adjourned Debate on Mr. J. Wilson's Amendment to the Chancellor of the Exchequer's Motion relative to the recent Commercial Distress, read—Debate again Adjourned	531
3.	Railways Bill—Order of the Day for going into Committee on the Bill read—House in Committee—Clauses 1 to 6 agreed to—Clause 7, after Debate, agreed to—Bill went through Committee—Report to be received	597
	Commercial Distresss — Adjourned Debate — (Third Night)—Order of the Day for resuming the Adjourned Debate on Mr. J. Wilson's Amendment to the Chancellor of the Exchequer's Motion relative to the recent Commercial Distress, read—Amendment of Mr. Stuart, "That the Debate be Adjourned"—Division Lists, &c.—Mr. Stuart's Amendment negatived—Mr. J. Wilson's Amendment withdrawn—Original Motion for the Appointment of the Committee carried	604
6.	British and Foreign Spirits—Questions	696
	Battersea Park—Question	697
	Foreign Tariffs—Questions	698
	The Rajah of Sattara—Question	699
	Denunciations from the Altar (Ireland)—Question ...	700
	Mediation in Switzerland—Question	701
	Crime and Outrage (Ireland)—Order of the Day for the Second Reading of the Bill moved by Sir G. Grey—Amendment of Mr. J. O'Connell, "That the other Orders of the Day be read"—Motion of Mr. Fagan, "That the Debate be Adjourned—Division Lists, &c.—Motion negatived — Motion of Mr. F. O'Connor, "That the House do now Adjourn," ultimately withdrawn—Order of the Day read—Bill to be read a Second Time the following Evening	701

1847. Page

Dec. 7. Changing the Venue (Ireland)—Question 750
Copyright in the Colonies—Question 751
The Trade with Brazil—Question 751
Parliament of Ireland—Motion of Mr. F. O'Connor, "That a Select Committee be appointed to Inquire and Report on the Means by which the Dissolution of the Parliament of Ireland was effected," &c.—Amendment of Mr. Fagan, "That the Debate be Adjourned"—Amendment withdrawn—Original Motion negatived—Division Lists, &c. 752

8. Roman Catholic Relief Bill—Motion of Mr. C. Anstey, "That the Bill be read a Second Time"—Amendment of Sir R. H. Inglis, "That the Bill be read a Second Time that day Six Months"—Amendment negatived—Division Lists, &c.—The Second Reading of the Bill 801

9. The New Houses of Parliament—Question 859
Metropolitan Buildings Act—Question 859
Business of the House—Withdrawal of a Motion by Mr. Anstey at the request of Sir George Grey 859
Hamburgh—Question 859
Portugal—Questions 860
The Scotch Banks—Explanation 860
Crime and Outrage (Ireland) Bill—Order of the Day for the Second Reading of the Bill read—Motion of Sir G. Grey, "That the Bill be read a Second Time"—Objected to—Division Lists, &c.—The Second Reading of the Bill—Bill to be Committed 860

10. Copyhold Tenures—Question 924
Private Bills—Question 924
Diplomatic Relations with Rome—Question and Explanation ... 925
Greek Loans—Question 925
Railways in India—Questions 926
Taxation—Question 927
The Right Rev. Dr. Ryan—Statements of several hon. Members in Vindication of the Character of the Right Rev. Dr. Ryan ... 928
Crime and Outrage (Ireland) Bill—Committee—Motion for the House to go into Committee on the Crime and Outrage (Ireland) Bill, after Debate, agreed to—House in Committee—Amendment of Mr. J. O'Connell to the 1st Clause—"To insert Words limiting the Operation of the Bill to those Districts that are now Peaceable"—Amendment negatived—List of the Ayes—Remaining Clauses of the Bill agreed to—Clause proposed by Mr. Baines to be added to the Bill brought up, read a First and Second Time, and ordered to be added to the Bill ... 936

11. Crime and Outrage (Ireland)—Report — Order of the Day for bringing up the Report on the Crime and Outrage (Ireland) Bill, read—Report, with Amendment, received—Bill to be read a Third Time 962

13. Dr. Hampden—The Bishops' Remonstrance—Question ... 966
The Defences of the Country—Withdrawal of a Notice of Motion by Mr. B. Osborne at the suggestion of Lord J. Russell ... 966
The Bank and the Government—Question 966
Corn and Navigation Laws—Explanation 967
Blockade of the River Plate—Question and Explanation ... 967
Switzerland—Questions and Explanation 968
Commercial Distress — Currency — Explanations — Questions—Explanation by Mr. Urquhart of a Speech made by him on a former Evening 970

1847.

Page

Dec. 13. Crime and Outrage (Ireland)—Order of the Day for the Third Reading of the Crime and Outrage (Ireland) Bill moved by Sir G. Grey —Amendment of Mr. John O'Connell, "That the Bill be read a Third Time that day Three Months"—Amendment negatived—Division Lists, &c.—The Third Reading of the Bill ... 974

Railways Bill—Motion of the Chancellor of the Exchequer, "That the Report on the Railways Bill be received," after Debate, agreed to—Certain Clauses proposed by Mr. Strutt to be added to the Bill, agreed to—Bill to be read a Third Time 991

Government of New Zealand—Motion of Mr. Labouchere for Leave to bring in a Bill—Motion agreed to—Bill to be brought in 1003

Commercial Distress—Committee—Motion of the Chancellor of the Exchequer, "That the Committee to Inquire into the Causes of the late Commercial Pressure and Distress consist of Twenty-six Members"—Amendment of Mr. Hume, "That the Debate be Adjourned"—Amendment negatived—Division Lists, &c.—Original Question again proposed—Amendment of Lord G. Bentinck, "That the word 'Twenty-six' be omitted from the Proposition, and that 'Thirty' be substituted in its stead"—Amendment negatived—Division Lists, &c.—Original Question again put—Amendment of Mr. Forbes, "That the Debate be now Adjourned"—Amendment withdrawn —Original Motion agreed to—Committee to be nominated ... 1030

14. Poor Law Unions (Ireland)—Question 1065

The Case of "Buron *v.* Denman"—Question ... 1066

Railways Bill—The Third Reading of the Bill—Bill passed ... 1066

Privilege—West Gloucestershire Election—Motion of Mr. Wakley, "That a Select Committee be appointed to Inquire into the Allegations contained in the Petition of certain Electors of the Western Division of the County of Gloucester," &c.—Debate Adjourned on the Motion of Sir G. Grey ... 1067

The Ecclesiastical Commissioners—Resolutions relative to Episcopal Revenues &c., moved by Mr. Horsman—Previous Question negatived on the first two Resolutions—Amendment of Dr. Bowring, "That the words in the Third Resolution, 'have not been carried out according to the Intentions of Parliament,' be replaced by the words, 'require the Consideration of Parliament'"—Resolution withdrawn by Mr. Horsman, and the Amended Resolution put as a substantive Motion, and Negatived—Division Lists, &c. 1083

15. Public Works (Ireland) Bill—The Third Reading of the Bill—Bill passed 1126

Commercial Distress—Nomination of Committee—The Names of the Chancellor of the Exchequer, Sir R. Peel, Lord J. Russell, Lord G. Bentinck, and Mr. Herries, agreed to—On Mr. Labouchere being proposed—Amendment of Lord G. Bentinck, "That Mr. Hastie be substituted"—Amendment negatived— —Division Lists, &c.—On Mr. Cardwell being proposed—Amendment moved, "That Mr. W. Brown be substituted"—Amendment negatived—Division Lists, &c.—On Mr. Hume being proposed—Amendment of Mr. Wakley, "That Mr. Muntz be substituted"—Amendment negatived—Division Lists, &c.—Main Question again put—Amendment of Mr. Wakley, "That the Debate be Adjourned"—Amendment withdrawn, and Mr. Hume added to the Committee—On Mr. Ricardo being proposed—Amendment of Lord G. Bentinck,

"That Mr. Henley be substituted"—Amendment negatived—Division Lists, &c.—On Mr. Glyn being proposed—Amendment of Mr. B. Osborne, "That Mr. J. Reynolds be substituted"—Amendment withdrawn—On Sir W. Clay being proposed—Amendment of Lord G. Bentinck, "That Mr. Pattison be substituted"—Amendment negatived—Division Lists, &c. —Remaining Members appointed 1126

Dec. 15. Adjournment of Debates—Motion of Mr. Brotherton, "That when any new Business is brought on after Twelve o'Clock at Night, if it be Moved and Seconded that the Debate on such Question be Adjourned, Mr. Speaker shall immediately declare the Debate be Adjourned without putting the Question to the Vote"—Motion negatived—Division Lists, &c. ... 1178

16. Defence of the Country—Question 1231
Brazil—Question 1232
Church Rates—Question 1233
Ministers' Money (Ireland)—Question 1233
Denunciations from the Altar (Ireland)—Question ... 1233
Disabilities of the Jews—Motion of Lord J. Russell, "That the House will resolve itself into a Committee on the Removal of the Civil and Political Disabilities affecting Her Majesty's Jewish Subjects"—Debate Adjourned 1234
New Houses of Parliament—Motion of Sir R. H. Inglis, "That a Select Committee be appointed on the Present State of the New Palace at Westminster," &c.—Motion withdrawn, on the understanding that it should be renewed on the following Evening 1332

17. Cheltenham Election Petition—Motion of Mr. Walpole, "That a Select Committee be appointed to Inquire into the Allegations contained in the Petition of Sir Willoughby Jones, Bart.," &c. —Motion carried—Division Lists, &c. 1345
West Gloucestershire Election—Adjourned Debate—Order of the Day for resuming the Debate read—Mr. Wakley's Motion, at the suggestion of Sir G. Grey, withdrawn, and the Petition referred to the Committee on Privileges, instead of a Select Committee 1354
Spanish Import Duty on Woollens—Explanation ... 1354
The Bishop of Exeter's Letter—Question 1355
Disabilities of the Jews—Adjourned Debate on Lord J. Russell's Motion relative to the Removal of Jewish Disabilities—Motion agreed to—Division Lists, &c.—House in Committee—Resolution, "That it is expedient to Remove all Civil Disabilities at present existing affecting Her Majesty's Subjects of the Jewish Religion," &c.—Reported and agreed to—Bill to be brought in 1356
New Palace, at Westminster—Motion of Sir R. H. Inglis, "That Select Committee be appointed on the Present State of the New Palace at Westminster," &c.—Motion withdrawn 1401

20. Private Business—Resolutions proposed by Mr. Labouchere, relating to the Passing of Private Bills, agreed to ... 1417
Jewish Disabilities—Bill brought in—The First Reading of the Bill—Motion that it be read a Second Time on Monday the 7th of February, agreed to 1421
Adjournment—Ireland—Commercial Distress—Navigation Laws —Motion of Lord J. Russell, "That the House at its rising do Adjourn to Thursday the 3rd of February next"—Amendment of Mr. Spooner, "To leave out the words 'Thursday, the 3rd of February,' for the purpose of inserting the '13th of January'"—Amendment withdrawn, and original Motion agreed to 1421

1847. Page

Dec. 20. Transportation of an Innocent Man—Question ... 1436
The River Plate—Question 1437
Rating of Stock in Trade—Question 1439
Shipping—Official Returns—Explanation 1441
Cheltenham Election—Motion of Mr. Walpole, "That certain Members (named) form the Committee on the Cheltenham Election"—Committee as proposed appointed ... 1441

III. Lists of Divisions.

The Ayes and the Noes on Mr. Wakley's Amendment to Sir G. Grey's Motion "For Leave to bring in a Bill for the better Prevention of Crime and Outrage in certain Parts of Ireland" 364

The Ayes and the Noes on Mr. Stuart's Motion for the Adjournment of the Debate on the Commercial Distress ... 672

The Ayes and the Noes on Mr. Fagan's Motion for the Adjournment on the Debate on the Second Reading of the Crime and Outrage (Ireland) Bill 748

The Ayes and the Noes on Mr. F. O'Connor's Motion relative to the Parliament of Ireland 797

The Ayes and the Noes on Sir Robert H. Inglis's Amendment to the Second Reading of the Roman Catholic Relief Bill ... 852

The Ayes and the Noes on the Second Reading of the Crime and Outrage (Ireland) Bill 921

The Ayes on Mr. J. O'Connell's Amendment to the First Clause of the Crime and Outrage (Ireland) Bill 961

The Ayes and the Noes on Mr. John O'Connell's Amendment to the Third Reading of the Crime and Outrage (Ireland) Bill 990

The Ayes and the Noes on Mr. Hume's Amendment to the Chancellor of the Exchequer's Motion relative to the Appointment of the Committee to Inquire into the recent Commercial Distress 1034

The Ayes and the Noes on Lord G. Bentinck's Amendment to the Chancellor of the Exchequer's Motion relative to the Appointment of the Committee to Inquire into the Recent Commercial Distress 1038

The Ayes and the Noes on Mr. Horsman's Motion relative to the Episcopal Revenues 1121

The Ayes and the Noes on Lord G. Bentinck's Amendment to Mr. Labouchere forming one of the Committee to Inquire into the recent Commercial Distress 1161

The Ayes and the Noes on an Amendment to Mr. Cardwell forming one of the Committee to Inquire into the recent Commercial Distress 1163

The Ayes and the Noes on Mr. Wakley's Amendment to Mr. Hume forming one of the Committee to Inquire into the recent Commercial Distress 1165

1848.

Page

The Ayes and the Noes on Lord G. Bentinck's Amendment to Mr. Ricardo forming one of the Committee to Inquire into the recent Commercial Distress 1171

The Ayes and the Noes on Lord G. Bentinck's Amendment to Sir W. Clay forming one of the Committee to Inquire into the recent Commercial Distress 1176

The Ayes and the Noes on Mr. Walpole's Motion relative to the Cheltenham Election Petition 1352

The Ayes and the Noes on Lord J. Russell's Motion relative to the Removal of the Disabilities of the Jews ... 1397

THE MINISTRY.

IN THE CABINET.

First Lord of the Treasury	Right Hon. Lord John Russell.
Lord Chancellor	Right Hon. Lord Cottenham.
President of the Council	Most Hon. Marquess of Lansdowne.
Privy Seal	Right Hon. Earl of Minto.
Home Secretary	Right Hon. Sir George Grey.
Foreign Secretary	Right Hon. Viscount Palmerston.
Colonial Secretary	Right Hon. Earl Grey.
Chancellor of the Exchequer	Right Hon. Sir Charles Wood.
First Lord of the Admiralty	Right Hon. Earl of Auckland.
President of the Board of Control	Right Hon. Sir John Cam Hobhouse.
President of the Board of Trade	Right Hon. Henry Labouchere.
Paymaster of the Forces	Right Hon. Thomas Babington Macaulay.
Postmaster General	Most Hon. Marquess of Clanricarde.
Chancellor of the Duchy of Lancaster	Right Hon. Lord Campbell.
Woods and Forests	Right Hon. Viscount Morpeth.

NOT IN THE CABINET.

Commander in Chief	Duke of Wellington.
Master General of the Ordnance	Most Hon. Marquess of Anglesey.
Vice-President of the Board of Trade	Right Hon. Thomas Milner Gibson.
Secretary of the Admiralty	Henry George Ward, Esq.
Secretary at War	Right Hon. Fox Maule.
Chief Secretary for Ireland	Right Hon. Sir William Meredyth Somerville, Bt.
Joint Secretaries of the Treasury	John Parker, Esq. and Henry Tufnell, Esq.
Master of the Mint	Right Hon. Richard Lalor Sheil.
Secretaries of the Board of Control	Thomas Wyse, Esq., and George Cornewall Lewis, Esq.
Under Secretary for the Home Department	Sir Denis Le Marchant.
Under Secretary for Foreign Affairs	Right Hon. Edward John Stanley.
Under Secretary for the Colonies	Benjamin Hawes, Esq.
Lords of the Treasury	Viscount Ebrington, Richard Montesquieu Bellew, Esq., William Gibson Craig, Esq., and Henry Rich, Esq.
Lords of the Admiralty	Rear Admiral James Whitley Deans Dundas, Rear Admiral Henry Prescott, Hon. Captain Maurice Fitzhardinge Berkeley, Captain Lord John Hay, and Hon. William Francis Cowper.
Clerk of the Ordnance	Colonel Hon. George Anson.
Surveyor General of the Ordnance	Major General Charles Richard Fox.
Attorney General	Sir John Jervis, Knt.
Solicitor General	Sir David Dundas, Knt.
Judge-Advocate General	Charles Buller, Esq.
Lord Advocate of Scotland	Right Hon. Andrew Rutherfurd.
Solicitor General for Scotland	Thomas Maitland, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl of Clarendon.
Lord Chancellor	Right Hon. Maziere Brady.
Attorney General	Right Hon. Richard Moore.
Solicitor General	James Henry Monahan, Esq.

QUEEN'S HOUSEHOLD.

Lord Chamberlain	Right Hon. Earl Spencer.
Lord Steward	Right Hon. Earl Fortescue.
Master of the Horse	Duke of Norfolk.
Master of the Buckhounds	Earl Granville.
Vice-Chamberlain	Lord Edward Howard.
Comptroller of the Household	Lord Arthur Marcus Cecil Hill
Chief Equerry and Clerk Marshal	Lord Alfred Paget.
Mistress of the Robes	Duchess of Sutherland.

ROLL OF THE

LORDS SPIRITUAL AND TEMPORAL

IN THE *FIRST SESSION* OF THE *FIFTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*.

11° VICTORIÆ, 1847.

His Royal Highness THE PRINCE of WALES.

His Royal Highness ERNEST AUGUSTUS Duke of CUMBERLAND and TEVIOTDALE. (*King of Hanover.*)

His Royal Highness ADOLPHUS FREDERICK Duke of CAMBRIDGE.

WILLIAM Archbishop of CANTERBURY.

CHARLES CHRISTOPHER Lord COTTENHAM, *Lord Chancellor.*

Archbishop of YORK.

JOHN GEORGE Archbishop of ARMAGH.

HENRY Marquess of LANSDOWNE, *Lord President of the Council.*

GILBERT Earl of MINTO, *Lord Privy Seal.*

HENRY CHARLES Duke of NORFOLK, *Earl Marshal of England.*

EDWARD ADOLPHUS Duke of SOMERSET.

CHARLES Duke of RICHMOND.

HENRY Duke of GRAFTON.

HENRY Duke of BEAUFORT.

WILLIAM AUBREY DE VERE Duke of SAINT ALBANS.

FRANCIS GODOLPHIN D'ARCY Duke of LEEDS.

FRANCIS Duke of BEDFORD.

WILLIAM SPENCER Duke of DEVONSHIRE.

GEORGE Duke of MARLBOROUGH.

JOHN HENRY Duke of RUTLAND.

ALEXANDER Duke of BRANDON. (*Duke of Hamilton.*)

WILLIAM HENRY CAVENDISH Duke of PORTLAND.

GEORGE Duke of MANCHESTER.

HENRY PELHAM Duke of NEWCASTLE.

ALGERNON Duke of NORTHUMBERLAND.

ARTHUR Duke of WELLINGTON.

RICHARD PLANTAGENET, Duke of BUCKINGHAM and CHANDOS.

GEORGE GRANVILLE Duke of SUTHERLAND.

HENRY Duke of CLEVELAND.

JOHN Marquess of WINCHESTER.

GEORGE Marquess of TWEEDDALE. (*Elected for Scotland.*)

HENRY Marquess of LANSDOWNE. (*In another place as Lord President of the Council.*)

GEORGE FERRARS Marquess TOWNSHEND.

JAMES BROWNLOW WILLIAM Marquess of SALISBURY.

JOHN ALEXANDER Marquess of BATH.

JAMES Marquess of ABERCORN.

RICHARD Marquess of HERTFORD.

JOHN Marquess of BUTE.

BROWNLOW Marquess of EXETER.

SPENCER JOSHUA ALWYNE Marquess of NORTHAMPTON.

GEORGE CHARLES Marquess CAMDEN.

HENRY WILLIAM Marquess of ANGLESEY.

GEORGE HORATIO Marquess of CHOLMONDELEY.

PAULYN REGINALD SERLO Marquess of HASTINGS.

CHARLES Marquess of AILESBURY.

GEORGE THOMAS JOHN Marquess of WESTMEATH. (*Elected for Ireland.*)

FREDERICK WILLIAM Marquess of BRISTOL.

ARCHIBALD Marquess of AILSA.

JOHN Marquess of BREADALBANE.

RICHARD Marquess of WESTMINSTER.

CONSTANTINE HENRY Marquess of NORMANBY.

HUGH Earl FORTESCUE, *Lord Steward of the Household.*

FREDERICK Earl SPENCER, *Lord Chamberlain of the Household.*

JOHN Earl of SHREWSBURY.

EDWARD Earl of DERBY.

FRANCIS THEOPHILUS HENRY Earl of HUNTINGDON.

ROBERT HENRY Earl of PEMBROKE and MONTGOMERY.

WILLIAM Earl of DEVON.

THOMAS Earl of SUFFOLK and BERKSHIRE.

WILLIAM BASIL PERCY Earl of DENBIGH.

JOHN Earl of WESTMORELAND.

GEORGE AUGUSTUS FREDERICK ALBEMARLE Earl of LINDSEY.

GEORGE HARRY Earl of STAMFORD and WARRINGTON.

GEORGE WILLIAM Earl of WINCHILSEA and NOTTINGHAM.

GEORGE Earl of CHESTERFIELD.

HENRY Earl of THANET.

JOHN WILLIAM Earl of SANDWICH.

ARTHUR ALGERNON Earl of ESSEX.

JAMES THOMAS Earl of CARDIGAN.

GEORGE Earl of CARLISLE.

WALTER FRANCIS Earl of DONCASTER. (*Duke of Buccleuch and Queensberry.*)

CROPLEY Earl of SHAFTESBURY.

——— Earl of BERKELEY.

MONTAGU Earl of ABINGDON.

JOHN SAVILE Earl of SCARBOROUGH.

WILLIAM CHARLES Earl of ALBEMARLE.

GEORGE WILLIAM Earl of COVENTRY.

GEORGE Earl of JERSEY.

JOHN Earl POULETT.

GEORGE SHOLTO Earl of MORTON. (*Elected for Scotland.*)

COSPATRICK ALEXANDER Earl of HOME. (*Elected for Scotland.*)

DAVID Earl of AIRLIE. (*Elected for Scotland.*)

DAVID Earl of LEVEN and MELVILLE. (*Elected for Scotland.*)

DUNBAR JAMES Earl of SELKIRK. (*Elected for Scotland.*)

THOMAS JOHN Earl of ORKNEY. (*Elected for Scotland.*)

FRANCIS WILLIAM Earl of SEAFIELD. (*Elected for Scotland.*)

EDWARD Earl of OXFORD and Earl MORTIMER.

WASHINGTON SEWALLIS Earl FERRERS.

WILLIAM Earl of DARTMOUTH.

CHARLES AUGUSTUS Earl of TANKERVILLE.

HENEAGE Earl of AYLESFORD.

GEORGE AUGUSTUS Earl COWPER.

PHILIP HENRY Earl STANHOPE.

ROBERT Earl of HARBOROUGH.

THOMAS Earl of MACCLESFIELD.

GEORGE WILLIAM RICHARD Earl of POMFRET.

JAMES Earl GRAHAM. (*Duke of Montrose.*)

WILLIAM Earl WALDEGRAVE.

BERTRAM Earl of ASHBURNHAM.

CHARLES Earl of HARRINGTON.

JOHN CHARLES Earl of PORTSMOUTH.

HENRY RICHARD Earl BROOKE and Earl of WARWICK.

GEORGE ROBERT Earl of BUCKINGHAMSHIRE.

CHARLES WILLIAM Earl FITZWILLIAM

FRANCIS Earl of GUILFORD.

JAMES Earl CORNWALLIS.

CHARLES PHILIP Earl of HARDWICKE.

HENRY STEPHEN Earl of ILCHESTER.

GEORGE JOHN Earl DE LAWARR.

WILLIAM Earl of RADNOR.

FREDERICK Earl SPENCER. (*In another place as Lord Chamberlain of the Household.*)

HENRY GEORGE Earl BATHURST.

ARTHUR WILLS BLUNDELL SANDYS TRUMBULL WINDSOR Earl of HILLSBOROUGH. (*Marquess of Downshire.*)

GEORGE WILLIAM FREDERICK Earl of CLARENDON.

WILLIAM DAVID Earl of MANSFIELD.

WILLIAM Earl of ABERGAVENNY.

CHARLES CHETWYND Earl TALBOT.

GEORGE AUGUSTUS FREDERICK JOHN Earl STRANGE. (*Duke of Athol.*) (*Lord Glenlyon.*)

ERNEST AUGUSTUS Earl of MOUNT EDGCUMBE.

HUGH Earl FORTESCUE. (*In another place as Lord Steward of the Household.*)

EDWARD Earl of DIGBY.

GEORGE Earl of BEVERLEY.

HENRY JOHN GEORGE Earl of CARNARVON.

CHARLES CECIL COPE Earl of LIVERPOOL.

GEORGE Earl CADOGAN.

JAMES HOWARD Earl of MALMESBURY.

FRANCIS WILLIAM Earl of CHARLEMONT. (*Lord Charlemont.*) (*Elected for Ireland.*)

STEPHEN Earl of MOUNT CASHELL. (*Elected for Ireland.*)

JOHN Earl of MAYO. (*Elected for Ireland.*)

JOHN Earl of ERNE. (*Elected for Ireland.*)

JOHN OTWAY O'CONNOR Earl of DESART. (*Elected for Ireland.*)

WILLIAM Earl of WICKLOW. (*Elected for Ireland.*)

GEORGE CHARLES Earl of LUCAN. (*Elected for Ireland.*)

JAMES Earl of BANDON. (*Elected for Ireland.*)

JAMES DUPRE Earl of CALEDON. (*Elected for Ireland.*)

JAMES ALEXANDER Earl of ROSSLYN.

WILLIAM Earl of CRAVEN.

ARTHUR GEORGE Earl of ONSLOW.

CHARLES Earl of ROMNEY.

HENRY THOMAS Earl of CHICHESTER.

THOMAS Earl of WILTON.

EDWARD Earl of POWIS.

HORATIO Earl NELSON.

ARCHIBALD Earl of GOSFORD. (*Lord Worlingham.*) (*Elected for Ireland.*)

WILLIAM Earl of ROSSE. (*Elected for Ireland.*)

CHARLES WILLIAM Earl of CHARLEVILLE. (*Elected for Ireland.*)

CHARLES HERBERT Earl MANVERS.

HORATIO Earl of ORFORD.

HENRY Earl GREY.

WILLIAM Earl of LONSDALE.

DUDLEY Earl of HARROWBY.

HENRY Earl of HAREWOOD.

GILBERT Earl of MINTO. (*In another place as Lord Privy Seal.*)

CHARLES MURRAY Earl CATHCART.

JAMES WALTER Earl of VERULAM.

JOHN Earl BROWNLOW.

EDWARD GRANVILLE Earl of SAINT GERMANS.

EDMUND Earl of MORLEY.

GEORGE AUGUSTUS FREDERICK HENRY Earl of BRADFORD.

JOHN REGINALD Earl BEAUCHAMP.

RICHARD Earl of GLENGALL. (*Elected for Ireland.*)

THOMAS PHILIP Earl DE GREY.

JOHN Earl of ELDON.

GEORGE HENRY Earl of FALMOUTH.

RICHARD WILLIAM PENN Earl HOWE.

JOHN SOMMERS Earl SOMMERS.

JOHN EDWARD CORNWALLIS Earl of STRADBROKE.

WINDHAM HENRY Earl of DUNRAVEN. (*Elected for Ireland.*)

CHARLES WILLIAM Earl VANE. (*Marquess of Londonderry.*)

WILLIAM PITT Earl AMHERST.

JOHN FREDERICK Earl CAWDOR.

WILLIAM GEORGE Earl of MUNSTER.

WILLIAM Earl of BURLINGTON.

ROBERT Earl of CAMPERDOWN.

THOMAS WILLIAM Earl of LICHFIELD.

GEORGE FREDERICK D'ARCY Earl of DURHAM.

FREDERICK JOHN Earl of RIPON.

GRANVILLE GEORGE Earl GRANVILLE.

HENRY Earl of EFFINGHAM.

HENRY GEORGE FRANCIS Earl of DUCIE.

CHARLES ANDERSON WORSLEY Earl of YARBOROUGH.

JAMES HENRY ROBERT Earl INNES. (*Duke of Roxburgh.*)

THOMAS WILLIAM Earl of LEICESTER.

WILLIAM Earl of LOVELACE.

THOMAS Earl of ZETLAND.

GEORGE Earl of AUCKLAND.

CHARLES NOEL Earl of GAINSBOROUGH.

WILLIAM FITZHARDINGE Earl FITZHARDINGE.

EDWARD Earl of ELLENBOROUGH.

FRANCIS Earl of ELLESMERE.

JOHN Earl of STRAFFORD.

ROBERT Viscount HEREFORD.

JAMES Viscount STRATHALLAN. (*Elected for Scotland.*)

HENRY Viscount BOLINGBROKE and ST. JOHN.

GEORGE Viscount TORRINGTON.

AUGUSTUS FREDERICK Viscount LEINSTER. (*Duke of Leinster.*)

HENRY Viscount MAYNARD.

JOHN ROBERT Viscount SIDNEY.

FRANCIS WHELER Viscount HOOD.

JOHN Viscount DE VESCI. (*Elected for Ireland.*)
HAYES Viscount DONERAILE. (*Elected for Ireland.*)
CORNWALLIS Viscount HAWARDEN. (*Elected for Ireland.*)
JOHN BRUCE RICHARD Viscount O'NEILL. (*Elected for Ireland.*)
EDWARD JERVIS Viscount ST. VINCENT.
ROBERT Viscount MELVILLE.
WILLIAM LEONARD Viscount SIDMOUTH.
ROBERT EDWARD Viscount LORTON. (*Elected for Ireland.*)
WARWICK Viscount LAKE.
GEORGE Viscount GORDON. (*Earl of Aberdeen.*)
EDWARD Viscount EXMOUTH.
JOHN HELY Viscount HUTCHINSON. (*Earl of Donoughmore.*)
WILLIAM CARR Viscount BERESFORD.
WILLIAM THOMAS Viscount CLANCARTY. (*Earl of Clancarty.*)
STAPLETON Viscount COMBERMERE.
CHARLES JOHN Viscount CANNING.
CHARLES JOHN Viscount CANTERBURY.
JOHN Viscount PONSONBY.
ROWLAND Viscount HILL.
HENRY Viscount HARDINGE.

CHARLES JAMES Bishop of LONDON.
EDWARD Bishop of DURHAM.
CHARLES RICHARD Bishop of WINCHESTER.
JOHN Bishop of LINCOLN.
CHRISTOPHER Bishop of BANGOR.
HUGH Bishop of CARLISLE.
GEORGE Bishop of ROCHESTER.
EDWARD Bishop of LLANDAFF.
JOHN BIRD Bishop of CHESTER.
RICHARD Bishop of BATH and WELLS.
JAMES HENRY Bishop of GLOUCESTER and BRISTOL.
HENRY Bishop of EXETER.
CHARLES THOMAS Bishop of RIPON.
EDWARD Bishop of SALISBURY.
EDWARD Bishop of NORWICH.
THOMAS Bishop of HEREFORD.
GEORGE Bishop of PETERBOROUGH.
CONNOP Bishop of ST. DAVID'S.
HENRY Bishop of WORCESTER.
ASHURST TURNER Bishop of CHICHESTER.
JOHN Bishop of LICHFIELD.
THOMAS Bishop of ELY.
SAMUEL Bishop of OXFORD.
THOMAS VOWLER Bishop of ST. ASAPH.
ROBERT Bishop of CLOGHER.
JOHN Bishop of ELPHIN, KILMORE, and ARDAGH.
LUDLOW Bishop of KILLALOE, KILFENORA, CLONFERT, and KILMACDUAGH.

WILLIAM LENNOX LASCELLES Lord DE ROS.
JACOB Lord HASTINGS.
GEORGE EDWARD Lord AUDLEY.
PETER ROBERT Lord WILLOUGHBY DE ERESBY.
THOMAS Lord DACRE.
CHARLES RODOLPH Lord CLINTON.
THOMAS Lord CAMOYS.
MILES THOMAS Lord BEAUMONT.
CHARLES Lord STOURTON.
HENRY Lord BERNERS.
HENRY PEYTO Lord WILLOUGHBY DE BROKE.
GEORGE Lord VAUX of HARROWDEN.
HENRY Lord PAGET.
ST. ANDREW BEAUCHAMP Lord ST. JOHN of BLETSO.
CHARLES AUGUSTUS Lord HOWARD DE WALDEN.
WILLIAM FRANCIS HENRY Lord PETRE.
——— Lord SAYE and SELE.
HENRY BENEDICT Lord ARUNDELL of WARDOUR.
JOHN Lord CLIFTON. (*Earl of Darnley.*)
JOSEPH THADDEUS Lord DORMER.
GEORGE HENRY Lord TEYNHAM.
GEORGE WILLIAM Lord STAFFORD.
GEORGE ANSON Lord BYRON.
WILLIAM Lord WARD.
HUGH CHARLES Lord CLIFFORD of CHUDLEIGH.
ALEXANDER GEORGE Lord SALTOUN. (*Elected for Scotland.*)
JOHN Lord GRAY. (*Elected for Scotland.*)
CHARLES Lord SINCLAIR. (*Elected for Scotland.*)
JOHN Lord ELPHINSTONE. (*Elected for Scotland.*)
JOHN Lord COLVILLE of CULROSS. (*Elected for Scotland.*)
JOHN Lord ROLLO. (*Elected for Scotland.*)
HENRY FRANCIS Lord POLWARTH. (*Elected for Scotland.*)

Edmund Lord Boyle. (*Earl of Cork and Orrery.*)

Thomas Robert Lord Hay. (*Earl of Kinnoul.*)

Digby Lord Middleton.

William John Lord Monson.

Henry Lord Montfort.

George William Frederick Lord Bruce.

George John Brabazon Lord Ponsonby. (*Earl of Bessborough.*)

George John Lord Sondes.

Nathaniel Lord Scarsdale.

George Lord Boston.

Henry Edward Lord Holland.

George James Lord Lovel and Holland. (*Earl of Egmont.*)

George John Lord Vernon.

George Douglas Lord Sundridge. (*Duke of Argyll.*)

Edward William Lord Hawke.

Thomas Henry Lord Foley.

George Talbot Lord Dynevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Lord Southampton.

Fletcher Lord Grantley.

Robert Dennett Lord Rodney.

John Lord Carteret.

Richard Lord Berwick.

John Lord Sherborne.

Henry Lord Tyrone. (*Marquess of Waterford.*)

Richard Lord Carleton. (*Earl of Shannon.*)

Edward Lord Suffield.

Guy Lord Dorchester.

George Lord Kenyon.

Richard Lord Braybrooke.

George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)

Charles Lord Douglas of Douglas.

Henry Hall Lord Gage. (*Viscount Gage.*)

Edward Thomas Lord Thurlow.

George William Lord Lyttelton.

Henry Lord Mendip. (*Viscount Clifden.*)

Francis Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Randolph Lord Stewart of Garlies. (*Earl of Galloway.*)

James Thomas Lord Saltersford. (*Earl of Courtown.*)

George Alan Lord Brodrick. (*Viscount Midleton.*)

George Lord Calthorpe.

Robert John Lord Carrington.

Henry Lord Bayning.

William Powlett Lord Bolton.

John Lord Wodehouse.

John Lord Northwick.

Thomas Atherton Lord Lilford.

Thomas Lord Ribblesdale.

John Lord Fitzgibbon. (*Earl of Clare.*)

Edward Wadding Lord Dunsany. (*Elected for Ireland.*)

Cadwallader Davis Lord Blayney. (*Elected for Ireland.*)

Henry Lord Farnham. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Edward Lord Crofton. (*Elected for Ireland.*)

Henry Lord Dunalley. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Loftus Lord Loftus. (*Marquess of Ely.*)

John Lord Carysfort. (*Earl of Carysfort.*)

William Lord Alvanley.

George Ralph Lord Abercromby.

John Thomas Lord Redesdale.

George Lord Rivers.

Arthur Moyses William Lord Sandys.

George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)

David Montagu Lord Erskine.

George John Lord Mont Eagle. (*Marquess of Sligo.*)

Archibald William Lord Ardrossan. (*Earl of Eglintoun.*)

James Lord Lauderdale. (*Earl of Lauderdale.*)

George Arthur Hastings Lord Granard. (*Earl of Granard.*)

Hungerford Lord Crewe.

Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Alexander Lord Hopetoun. (*Earl of Hopetoun.*)

Richard Lord Castlemaine. (*Elected for Ireland.*)

James Andrew Lord Dalhousie. (*Earl of Dalhousie.*)

GEORGE Lord MELDRUM. (*Marquess of Huntly.*)

JAMES Lord ROSS. (*Earl of Glasgow.*)

WILLIAM WILLOUGHBY Lord GRINSTEAD. (*Earl of Enniskillen.*)

WILLIAM HENRY TENNISON Lord FOXFORD. (*Earl of Limerick.*)

FRANCIS GEORGE Lord CHURCHILL.

WILLIAM Lord MELBOURNE. (*Viscount Melbourne.*)

GEORGE FRANCIS ROBERT Lord HARRIS.

CHARLES Lord COLCHESTER.

WILLIAM SCHOMBERG ROBERT Lord KER. (*Marquess of Lothian.*)

FRANCIS NATHANIEL Lord MINSTER. (*Marquess Conyngham.*)

JOHN Lord ORMONDE. (*Marquess of Ormonde.*)

FRANCIS Lord WEMYSS. (*Earl of Wemyss.*)

ROBERT Lord CLANBRASSILL. (*Earl of Roden.*)

ROBERT Lord KINGSTON. (*Earl of Kingston.*)

EDWARD MICHAEL Lord SILCHESTER. (*Earl of Longford.*)

GEORGE AUGUSTUS FEDERICK JOHN Lord GLENLYON. (*In another place as Earl Strange.*) (*Duke of Athol.*)

WILLIAM Lord MARYBOROUGH. (*Earl of Mornington.*)

JOHN Lord ORIEL. (*Viscount Massarene and Ferrard.*)

THOMAS HENRY Lord RAVENSWORTH.

THOMAS Lord DELAMERE.

JOHN GEORGE WELD Lord FORESTER.

JOHN JAMES Lord RAYLEIGH.

ULYSSES Lord DOWNES. (*Elected for Ireland.*)

NICHOLAS Lord BEXLEY.

ROBERT FRANCIS Lord GIFFORD.

PERCY CLINTON SYDNEY Lord PENSHURST. (*Viscount Strangford.*)

ULICK JOHN Lord SOMERHILL. (*Marquess of Clanricarde.*)

JAMES Lord WIGAN. (*Earl of Balcarres.*)

THOMAS Lord RANFURLY. (*Earl of Ranfurly.*)

GEORGE Lord DE TABLEY.

JOHN Lord WHARNCLIFFE.

WILLIAM Lord FEVERSHAM.

JOHN SINGLETON Lord LYNDHURST.

JAMES Lord FIFE. (*Earl of Fife.*)

JOHN HENRY Lord TENTERDEN.

WILLIAM CONYNGHAM Lord PLUNKET.

THOMAS Lord MELROS. (*Earl of Haddington.*)

HENRY RICHARD CHARLES Lord COWLEY.

WILLIAM Lord HEYTESBURY.

ARCHIBALD JOHN Lord ROSEBERY. (*Earl of Rosebery.*)

RICHARD Lord CLANWILLIAM. (*Earl of Clanwilliam.*)

EDWARD Lord SKELMERSDALE.

WILLIAM SAMUEL Lord WYNFORD.

HENRY Lord BROUGHAM and VAUX.

WILLIAM HENRY Lord KILMARNOCK. (*Earl of Erroll.*)

ARTHUR JAMES Lord FINGALL. (*Earl of Fingall.*)

CHARLES WILLIAM Lord SEFTON. (*Earl of Sefton.*)

NATHANIEL Lord CLEMENTS. (*Earl of Leitrim.*)

GEORGE WILLIAM FOX Lord ROSSIE. (*Lord Kinnaird.*)

THOMAS Lord KENLIS. (*Marquess of Headfort.*)

JOHN CHAMBRE Lord CHAWORTH. (*Earl of Meath.*)

CHARLES ADOLPHUS Lord DUNMORE. (*Earl of Dunmore.*)

ROBERT MONTGOMERY Lord HAMILTON. (*Lord Belhaven and Stenton.*)

JOHN HOBART Lord HOWDEN.

WILLIAM Lord PANMURE.

GEORGE WARWICK Lord POLTIMORE.

EDWARD PRICE Lord MOSTYN.

HENRY SPENCER Lord TEMPLEMORE.

WILLIAM LEWIS Lord DINORBEN.

VALENTINE BROWNE Lord CLONCURRY.

JAMES Lord DE SAUMEREZ.

FRANCIS GODOLPHIN Lord GODOLPHIN.

LUCIUS Lord HUNSDON. (*Viscount Falkland.*)

EDWARD GEOFFREY Lord STANLEY.

THOMAS Lord DENMAN.

ROBERT CAMPBELL Lord ABINGER.

PHILIP CHARLES Lord DE L'ISLE and DUDLEY.

ALEXANDER Lord ASHBURTON.

CHARLES Lord GLENELG.

EDWARD JOHN Lord HATHERTON.

ARCHIBALD Lord WORLINGHAM. (*In another place as Earl of Gosford.*)

CHARLES CHRISTOPHER Lord COTTENHAM. (*In another place as Lord Chancellor.*)

Henry Lord Langdale.

Edward Berkeley Lord Portman.

Thomas Alexander Lord Lovat.

William Lord Bateman.

Francis William Lord Charlemont. (*In another place as Earl of Charlemont.*)

Francis Alexander Lord Kintore. (*Earl of Kintore.*)

Cornelius Lord Lismore. (*Viscount Lismore.*)

Henry Robert Lord Rossmore.

Robert Shapland Lord Carew.

William Francis Spencer Lord De Mauley.

John Lord Wrottesley.

Charles Lord Sudeley.

Paul Lord Methuen.

Frederic James Lord Beauvale.

Richard Wogan Lord Furnival. (*Lord Talbot of Malahide.*)

John Thomas Lord Stanley of Alderley.

Henry Lord Stuart de Decies.

Chandos Lord Leigh.

Paul Beilby Lord Wenlock.

Charles Lord Lurgan.

Nicholas William Lord Colborne.

Arthur Lord De Freyne.

James Lord Dunfermline.

Thomas Lord Monteagle of Brandon.

John Lord Seaton.

Edward Arthur Wellington Lord Keane.

John Lord Campbell.

John Lord Oxenfoord. (*Earl of Stair.*)

Valentine Lord Kenmare. (*Earl of Kenmare.*)

Charles Crespigny Lord Vivian.

John Lord Congleton.

Hugh Lord Gough.

Archibald Lord Acheson

Richard Lord Dartrey. (*Lord Cremorne.*)

Richard Bulkeley Philipps Lord Milford.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

LIST OF THE COMMONS.

LIST OF MEMBERS

RETURNED FROM THE RESPECTIVE COUNTIES, CITIES, TOWNS, AND BOROUGHS, TO THE *FIFTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN AND IRELAND:* WRITS RETURNABLE ON THE 21ST DAY OF SEPTEMBER, 1847.

ABINGDON.
Sir Frederic Thesiger, knt.

ANDOVER.
Henry Beaumont Coles,
William Cubitt.

ANGLESEY.
Sir Richard Bulkeley Williams Bulkeley, bt.

ARUNDEL.
Hon. Henry Granville (Fitzalan Howard) Earl of Arundel and Surrey.

ASHBURTON.
Thomas Matheson.

ASHTON-UNDER-LINE.
Charles Hindley.

AYLESBURY.
John Peter Deering,
Hon. George (Nugent Grenville) Lord Nugent.

BANBURY.
Henry William Tancred.

BARNSTAPLE.
Richard Bremridge,
Hon. John William Fortescue.

BATH.
Hon. Adam (Duncan) Viscount Duncan,
Hon. Anthony (Ashley Cooper) Lord Ashley.

BEAUMARIS.
Hon. (George Augustus Frederick Paget) Lord G. A. F. Paget.

BEDFORDSHIRE.
Hon. John Hume (Cust) Viscount Alford,
Francis C. Hastings Russell.

BEDFORD.
Henry Stuart,
Sir Harry Verney, bt.

BERKSHIRE.
Robert Palmer,
Philip Pusey,
Rt. hon. William (Keppel) Viscount Barrington.

BERWICK-UPON-TWEED.
Matthew Forster,
John Campbell Renton,

BEVERLEY.
John Towneley,
Sackville Walter Lane Fox.

BEWDLEY.
Thomas James Ireland.

BIRMINGHAM.
George Frederick Muntz,
William Scholefield.

BLACKBURN.
John Hornby,
James Pilkington.

BODMIN.
James Wyld,
Henry Charles Lacy

BOLTON-LE-MOORS.
John Bowring,
William Bolling.

BOSTON.
Sir James Duke, knt.,
Benjamin Bond Cabbell.

BRADFORD.
William Busfeild.
Thomas Perronet Thompson.

BRECKNOCKSHIRE.
Joseph Bailey.

BRECON.
John Lloyd Vaughan Watkins.

BRIDGENORTH.
Thos. Charlton Whitmore,
Sir Robert Pigot, bt.

BRIDGEWATER.
Henry Broadwood,
Charles Jn. Kemys Tynte.

BRIDPORT.
Alex. Dundas Ross Wishart Baillie Cochrane,
Thomas Alexander Mitchell.

BRIGHTHELMSTONE.
George Richard Pechell,
Hon. (Alfred Hervey) Lord A. Harvey.

BRISTOL.
Philip William Skynner Miles,
Hon. Francis Henry Fitzhardinge Berkeley.

BUCKINGHAMSHIRE.
Caledon George Du Pré,
Hon. Charles Compton Cavendish,
Benjamin Disraeli.

BUCKINGHAM.
Hon. Richard Plantagenet Campbell (Chandos-Grenville) Marquess of Chandos,
John Hall.

BURY.
Richard Walker.

BURY ST. EDMUND'S.
Rt. hon. Frederick William (Hervey) Earl Jermyn,
Edward Herbert Bunbury.

CALNE.
Hon. Henry Petty (Fitzmaurice) Earl of Shelburne.

CAMBRIDGESHIRE.
Hon. Eliot Thomas Yorke,
Richard Greaves Townley,
Hon. (George John Manners) Lord G. J. Manners.

CAMBRIDGE (UNIVERSITY).
Rt. hon. Henry Goulburn,
Hon. Charles Ewan Law.

CAMBRIDGE.
Robert Alexander Shafto Adair,
Hon. William Frederick Campbell.

CANTERBURY.
Hon. George Augustus Frederick Percy Sydney Smythe,
Hon. (Albert Denison Conyngham) Lord A. D. Conyngham.

CARDIFF.
Rt. hon. John Nicholl.

CARDIGANSHIRE.
William Edward Powell.

CARDIGAN.
Pryse Pryse.

CARLISLE.
John Dixon,
William Nicholson Hodgson.

CARMARTHENSHIRE.
Hon. George Rice Rice Trevor,
David Arthur Saunders Davies.

CARMARTHEN.
David Morris.

CARNARVONSHIRE.
Hon. Edward Gordon Douglas Pennant.

CARNARVON.
William Bulkeley Hughes.

CHATHAM.
Rt. hon. George Stevens (Byng) Viscount Enfield.

CHELTENHAM.
Sir Willoughby Jones, bt.

CHESHIRE.
(*Northern Division.*)
William Tatton Egerton,
Rt. hon. Edward John Stanley.
(*Southern Division.*)
Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

CHESTER.
Sir John Jervis, knt.
Hon. Hugh Lupus (Grosvenor) Earl Grosvenor.

CHICHESTER.
Hon. (George Charles Henry Gordon Lennox) Lord G. C. H. G. Lennox.
John Abel Smith.

CHIPPENHAM.
Joseph Neeld,
Henry George Boldero.

CHRISTCHURCH.
Hon. Edward Alfred John Harris.

CIRENCESTER.
William Cripps.
Hon. George Augustus Frederick (Villiers) Viscount Villiers.

CLITHEROE.
Matthew Wilson.

COCKERMOUTH.
Edward Horsman.
Henry Aglionby Aglionby,

COLCHESTER.
Sir George Henry Smith, bt.,
Joseph Alfred Hardcastle.

CORNWALL.
(*Eastern Division.*)
William Henry Pole Carew,
Thomas James Agar Robartes.
(*Western Division.*)
Edward William Wynne Pendarves,
Sir Charles Lemon, bt.

COVENTRY.
Rt. hon. Edward Ellice,
George James Turner.

CRICKLADE.
John Neeld,
Ambrose Lethbridge Goddard.

CUMBERLAND.
(*Eastern Division.*)
Hon. Charles Wentworth George Howard,
William Marshall.
(*Western Division.*)
Edward Stanley,
Henry Lowther.

DARTMOUTH.
George Moffatt.

DENBIGHSHIRE.
Sir Watkin Williams Wynn,
Hon. William Bagot.

DENBIGH.
Frederick Richard West.

DERBYSHIRE.
(*Northern Division.*)
Hon. George Henry Cavendish,
William Evans.
(*Southern Division.*)
Edward Miller Mundy,
Charles Robert Colville.

DERBY.
Rt. hon. Edward Strutt,
Hon. Edward Frederick Leveson Gower.

DEVIZES.
George Heneage Walker Heneage,
William Heald Ludlow Bruges.

DEVONPORT.
Henry Tufnell,
John Romilly.

DEVONSHIRE.
(*Northern Division.*)
Lewis William Buck,
Sir Thomas Dyke Acland, bt.
(*Southern Division.*)
Sir John Buller Yarde Buller, bt.
Hon. William Reginald (Courtenay) Viscount Courtenay.

DORCHESTER.
Rt. hon. George Lionel Dawson Damer,
Henry Gerard Sturt.

DORSETSHIRE.
Henry Ker Seymer,
John Floyer,
George Bankes.

DOVOR.
Edward Royd Rice,
Rt. hon. Sir George Clerk, bt.

DROITWICH.
Sir John Somerset Pakington, bt.

DUDLEY.
John Benbow.

DURHAM.
(*Northern Division.*)
Robert Duncombe Shafto,
Hon. George Henry Robert Charles (Vane) Viscount Seaham.
(*Southern Division.*)
Hon. (Harry Vane) Lord H. Vane.
James Farrer.

DURHAM (CITY).
Thomas Colpitts Granger,
Henry John Spearman.

ESSEX.
(*Northern Division.*)
Sir John Tyssen Tyrell, bt.,
William Beresford.
(*Southern Division.*)
Thomas William Bramston,
Sir Edward North Buxton, bt.

EVESHAM.
Rt. hon. Lord Arthur Marcus Cecil Hill,
Sir Henry Pollard Willoughby, bt.

EXETER.
Edward Divett,
Sir John Thomas Buller Duckworth, bt.,

EYE.
Sir Edward Kerrison, bt.

FINSBURY.
Thos. Slingsby Duncombe,
Thomas Wakley.

FLINTSHIRE.
Hon. Edward Mostyn Lloyd Mostyn.

FLINT.
Sir John Hanmer, bt.

FROME.
Hon. Robert Edward Boyle,

GATESHEAD.
William Hutt.

GLAMORGANSHIRE.
Christopher Rice Mansel Talbot.
Hon. Edward Richard Wyndham (Wyndham Quin) Viscount Adare.

GLOUCESTERSHIRE.
(*Eastern Division.*)
Christopher William Codrington,
Hon. Henry Charles Fitzroy (Somerset) Marquess of Worcester.

(*Western Division.*)
Hon. George Charles Grantley Fitzhardinge Berkeley,
Robert Blagden Hale.

GLOUCESTER.
Hon. Maurice Frederick Fitzhardinge Berkeley,
Henry Thomas Hope.

GRANTHAM.
Glynne Earle Welby,
Hon. Frederick James Tollemache.

GREAT GRIMSBY.
Edward Heneage.

GREENWICH.
Edward George Barnard,
James Whitley Deans Dundas.

GUILDFORD.
Ross Donnelly Mangles,
Henry Currie.

HALIFAX.
Rt. hon. Sir Charles Wood, bt.,
Henry Edwards.

HAMPSHIRE.
(*Northern Division*).
Rt. hon. Charles Shaw Lefevre,
Sir William Heathcote, bt.

Southern Division).
Hon. (Charles Wellesley) Lord C. Wellesley,
Henry Combe Compton.

HARWICH.
John Attwood,
John Bagshaw.

HASTINGS.
Musgrave Briscoe,
Robert Hollond.

HAVERFORDWEST.
John Evans.

HELSTON.
Sir Richard Rawlinson Vyvyan, bt.

HEREFORDSHIRE.
Joseph Bailey, jun.,
Francis Richard Haggitt,
George Cornewall Lewis.

HEREFORD.
Sir Robert Price, bt.,
Henry Morgan Clifford.

HERTFORDSHIRE.
Thomas Plumer Halsey,
Thomas Brand,
Sir Henry Meux, bt.

HERTFORD.
Hon. Philip Henry (Stanhope) Viscount Mahon,
Hon. William Francis Cowper.

HONITON.
Joseph Locke,
Sir James Weir Hogg, bt.

HORSHAM.
John Jervis.

HUDDERSFIELD.
William Rookes Crompton Stansfield.

HUNTINGDONSHIRE.
Edward Fellowes,
George Thornhill.

HUNTINGDON.
Jonathan Peel,
Thomas Baring.

HYTHE.
Edward Drake Brockman.

IPSWICH.
John Chevallier Cobbold,
Hugh Edward Adair.

KENDAL.
George Carr Glyn.

KENT.
(*Eastern Division.*)
William Deedes,
John Pemberton Plumptre.

(*Western Division.*)
Sir Edmund Filmer, bt.,
Thomas Law Hodges.

KIDDERMINSTER.
Richard Godson.

KING'S LYNN.
Hon. (William George Frederick Cavendish Bentinck) Lord W. G. F. C. Bentinck,
Hon. Robert (Jocelyn) Viscount Jocelyn.

KINGSTON-UPON-HULL.
Matthew Talbot Baines,
James Clay.

KNARESBOROUGH.
Hon. William Saunders Sebright Lascelles,
Joshua Proctor Westhead.

LAMBETH.
Rt. hon. Charles Tennyson D'Eyncourt.
Charles Pearson.

LANCASHIRE.
(*Northern Division.*)
John Wilson Patten,
James Heywood.

(*Southern Division.*)
William Brown,
Hon. Charles Pelham Villiers.*

LANCASTER.
Thomas Greene,
Samuel Gregson.

LAUNCESTON.
William Bowles.

LEEDS.
William Beckett,
James Garth Marshall.

LEICESTERSHIRE.
(*Northern Division.*)
Hon. (Charles Henry Somerset Manners) Lord C. H. S. Manners,
Edward Basil Farnham.

(*Southern Division.*)
Sir Henry Halford, bt.,
Charles William Packe.

LEICESTER.
Sir Joshua Walmsley,
Richard Gardner.

LEOMINSTER.
George Arkwright,
Henry Barkly.

* A double return.

LEWES.
Hon. Henry Fitzroy,
Robert Perfect.

LICHFIELD.
Hon. (Alfred Henry Paget) Lord A. H. Paget,
Hon. Thomas William (Anson) Viscount Anson.

LINCOLNSHIRE.
(*Parts of Lindsey.*)
Robert Adam Christopher,
Sir Montague John Cholmeley, bt.

(*Parts of Kesteven and Holland.*)
Sir John Trollope, bt.
Hon. William Alleyne (Cecil) Lord Burghley.

LINCOLN.
Charles De Laet Waldo Sibthorp,
Charles Seely.

LISKEARD.
Charles Buller.

LIVERPOOL.
Edward Cardwell,
Sir Thomas Bernard Birch, bt.

LONDON.
John Masterman,
Rt. hon. (John Russell) Lord J. Russell.
James Pattison,
Lionel Nathan (Baron) De Rothschild.

LUDLOW.
Henry Bayley Clive,
Henry Salwey.

LYME REGIS.
Thomas Neville Abdy.

LYMINGTON.
William Alexander Mackinnon.
Hon. George Thomas Keppel.

MACCLESFIELD.
John Brocklehurst, jun.,
John Williams.

MAIDSTONE.
Alexander James Beresford Hope,
George Dodd.

MALDON.
David Waddington,
Thomas Barrett Lennard.

MALMESBURY.
Hon. James Kenneth Howard.

MALTON.
John Evelyn Denison,
John Walbanke Childers,

MANCHESTER.
Rt. hon. Thomas Milner Gibson,
John Bright.

MARLBOROUGH.
Hon. (Ernest Augustus Charles Brudenell Bruce) Lord E. A. C. B. Bruce,
Henry Bingham Baring.

MARLOW (GREAT).
Thomas Peers Williams,
Brownlow Knox.

MARYLEBONE.
Sir Benjamin Hall, bt.,
Hon. (Dudley Coutts Stuart) Lord D. C. Stuart.

MERIONETHSHIRE.
Richard Richards.

MERTHYR TYDVIL.
Sir Josiah John Guest, bt.

MIDDLESEX.
Rt. hon. (Robert Grosvenor) Lord R. Grosvenor,
Ralph Osborne.

MIDHURST.
Spencer Horatio Walpole.

MONMOUTHSHIRE.
Rt. hon. (Granville Charles Henry Somerset) Lord G. C. H. Somerset,
Charles Octavius Swinnerton Morgan.

MONMOUTH.
Reginald James Blewitt.

MONTGOMERYSHIRE.
Rt. hon. Charles Watkin Williams Wynn.

MONTGOMERY.*
Hon. Hugh Cholmondeley,
David Pugh.

MORPETH.
Hon. Edward George Granville Howard.

NEWARK-UPON-TRENT.
John Stuart,
Hon. John Henry Thomas Manners Sutton.

NEWCASTLE-UNDER-LYME.
Samuel Christy,
William Jackson.

NEWCASTLE-UPON-TYNE.
William Ord,
Thomas Emerson Headlam.

NEWPORT.
Charles Wykeham Martin,
William Henry Chicheley Plowden.

* A double return.

NORFOLK.
(*Eastern Division.*)
Edmund Wodehouse,
Henry Negus Burroughes.

(*Western Division.*)
William Bagge,
Hon. Edward Keppell Wentworth Coke.

NORTHALLERTON.
William Battye Wrightson.

NORTHAMPTONSHIRE.
(*Northern Division.*)
Thomas Philip Maunsell,
Stafford Augustus O'Brien Stafford.

(*Southern Division.*)
Richard Henry Richard Howard Vyse.
Sir Charles Knightley, bt.

NORTHAMPTON.
Rt. Hon. Robert Vernon Smith,
Raikes Currie.

NORTHUMBERLAND.
(*Northern Division.*)
Hon. Charles (Bennett) Lord Ossulston,
Rt. hon. Sir George Grey, bt.

(*Southern Division.*)
Matthew Bell,
Savile Craven Henry Ogle.

NORWICH.
Hon. Arthur Richard (Wellesley) Marquess of Douro,
Samuel Morton Peto.

NOTTINGHAMSHIRE.
(*Northern Division.*)
Thomas Houldsworth,
Hon. (Henry William Cavendish Bentinck) Lord H. W. C. Bentinck.

(*Southern Division.*)
Lancelot Rolleston,
Thomas Blackburne Thornton Hildyard.

NOTTINGHAM.
Feargus O'Connor,
John Walter.

OLDHAM.
William Johnson Fox,
John Duncuft.

OXFORDSHIRE.
George Granville Vernon Harcourt,
Hon. Montague (Bertie) Lord Norreys,
Joseph Warner Henley.

OXFORD (CITY).
James Haughton Langston,
William Page Wood.

OXFORD (UNIVERSITY).
Sir Robert Harry Inglis, bt.,
Rt. Hon. William Ewart Gladstone.

PEMBROKESHIRE.
Hon. John Frederick Vaughan (Campbell) Viscount Emlyn.

PEMBROKE.
Sir John Owen, bt.

PENRYN AND FALMOUTH.
Howell Gwyn,
Francis Mowatt.

PETERBOROUGH.
Hon. George Wentworth Fitzwilliam,
William George Cavendish.

PETERSFIELD.
Sir William George Hylton Jolliffe, bt.

PLYMOUTH.
Hon. Hugh (Fortescue) Viscount Ebrington,
Roundel Palmer.

PONTEFRACT.
Richard Monckton Milnes,
Samuel Martin.

POOLE.
Sir George Richard Philips, bt.,
George Richard Robinson.

PORTSMOUTH.
Sir George Thomas Staunton, bt.,
Rt. Hon. Francis Thornhill Baring.

PRESTON.
Sir George Strickland, bt.,
Charles Pasco Grenfell.

RADNORSHIRE.
Sir John Benn Walsh, bt.

RADNOR (NEW).
Rt. Hon. Sir Thomas Frankland Lewis, bt.,

READING.
Francis Pigott,
Thomas Noon Talfourd.

REIGATE.
Hon. Thomas Somers Cocks.

RETFORD (EAST).
Hon. Arthur Duncombe,
Rt. Hon. George Edward Arundell (Monckton-Arundell), Viscount Galway.

RICHMOND.
Henry Rich,
Marmaduke Wyvill, jun.

RIPON.
Hon. Edwin Lascelles.
Rt. hon. Sir James Robert Graham, bt.

ROCHDALE.
William Sharman Crawford.

ROCHESTER.
Ralph Bernal,
Thomas Twisden Hodges

RUTLANDSHIRE.
Gilbert John Heathcote,
Hon. Gerard James Noel.

RYE.
Herbert Barrett Curteis.

ST. ALBAN'S.
George William John Repton,
Alexander Raphael.

ST. IVES.
Hon. (William John Frederic) Lord W. J. F. Powlett.

SALFORD.
Joseph Brotherton.

SALISBURY.
William James Chaplin,
Charles Baring Wall.

SALOP, OR SHROPSHIRE.
(*Northern Division.*)
Hon. Edward James (Herbert) Viscount Clive.
William Ormsby Gore.

Southern Division.
Hon. Robert Henry Clive,
Hon. Orlando George Chas. (Bridgeman) Viscount Newport.

SANDWICH.
Hon. (Clarence Edward Paget) Lord C. E. Paget,
Charles William Grenfell.

SCARBOROUGH.
Sir John Vanden Bempde Johnstone, bt.,
Hon. George Augustus Constantine H. (Phipps) Earl of Mulgrave.

SHAFTESBURY.
Richard Brinsley Sheridan.

SHEFFIELD.
John Parker,
Henry George Ward.

SHIELDS (SOUTH).
John Twizell Wawn.

SHOREHAM (NEW).
Sir Charles Merrik Burrell, bt.,
Charles Goring.

SHREWSBURY.
Edward Holmes Baldock,
Robert Aglionby Slaney.

SOMERSETSHIRE.
(*Eastern Division.*)
William Miles,
William Pinney.

(*Western Division.*)
Charles Aaron Moody,
Sir Alexander Hood, bart.

SOUTHAMPTON.
Alexander James Edmund Cockburn,
Brodie M'Ghie Willcox.

SOUTHWARK.
John Humphery,
Sir William Molesworth, bt.

STAFFORDSHIRE.
(*Northern Division.*)
Charles Bowyer Adderley,
Hon. George Granville Francis (Egerton) Viscount Brackley.

(*Southern Division.*)
Hn. Henry John (Chetwynd Talbot) Viscount Ingestre,
Hon. George Anson.

STAFFORD.
David Urquhart,
Thomas Sidney.

STAMFORD.
Hon. Charles Cecil John (Manners) Marquess of Granby,
Rt. hon. John Charles Herries.

STOCKPORT.
Richard Cobden.*
James Heald.

STOKE-UPON-TRENT.
John Lewis Ricardo,
William Taylor Copeland.

STROUD.
William Henry Stanton,
George Poulett Scrope.

SUFFOLK.
(*Western Division.*)
Harry Spencer Waddington,
Philip Bennet, jun.

(*Eastern Division.*)
Edward Sherlock Gooch,
Rt. Hon. Frederick (Thellusson) Lord Rendlesham.

SUNDERLAND.
David Barclay,
George Hudson.

* A double return.

SURREY.
(*Eastern Division.*)
Hon. Peter John Locke King,
Thomas Alcock,
(*Western Division.*)
William Joseph Denison,
Henry Drummond.

SUSSEX.
(*Eastern Division.*)
Augustus Elliott Fuller,
Charles Hay Frewen.
(*Western Division.*)
Hon. Charles Henry (Gordon Lennox) Earl of March.
Richard Prime.

SWANSEA.
John Henry Vivian.

TAMWORTH.
Rt. hon. Sir Robert Peel, bt.,
Rt. hon. William Yates Peel.

TAVISTOCK.
John Salusbury Trelawny,
Hon. Edward Southwell Russell.

TAUNTON.
Rt. hon. Henry Labouchere,
Sir Thomas Edward Colebrooke, bt.

TEWKESBURY.
John Martin,
Humphrey Brown.

THETFORD.
Rt. hon. William Bingham Baring,
Hon. William Henry (Fitzroy) Earl of Euston.

THIRSK.
John Bell.

TIVERTON.
John Heathcoat,
Rt. hon. Henry John (Temple) Viscount Palmerston.

TOTNESS.
Hon. Edward Adolphus (Seymour) Lord Seymour,
Charles Barry Baldwin.

TOWER HAMLETS.
Sir William Clay, bt.,
George Thompson.

TRURO.
John Ennis Vivian,
Edmund Turner.

TYNEMOUTH.
Ralph William Grey.

WAKEFIELD.
George Sandars.

WALLINGFORD.
William Seymour Blackstone.

WALSALL.
Hon. Edward Richard Littleton.

WAREHAM.
John Samuel Wanley Sawbridge Erle Drax.

WARRINGTON.
Gilbert Greenall.

WARWICKSHIRE.
(*Northern Division.*)
Charles Newdegate Newdegate,
Richard Spooner.
(*Southern Division.*)
Evelyn John Shirley,
Hon. George Guy (Greville) Lord Brooke.

WARWICK.
Sir Charles Eurwicke Douglas, knt.,
William Collins.

WELLS.
Richard Blakemore,
William Goodenough Hayter.

WENLOCK.
Hon. George Cecil Weld Forester,
James Milnes Gaskell.

WESTBURY.
James Wilson.

WESTMINSTER.
Sir De Lacy Evans, K.C.B.
Charles Lushington.

WESTMORELAND.
William Thompson,
Hon. Henry Cecil Lowther.

WEYMOUTH AND MELCOMBE REGIS.
William Dougal Christie,
William Lockyer Freestun.

WHITBY.
Robert Stephenson.

WHITEHAVEN.
Robert Charles Hildyard.

WIGAN.
Hon. James Lindsey,
Ralph Anthony Thicknesse.

WIGHT (ISLE OF).
John Simeon.

WILTON.
Hon. James Charles Herbert Welbore Ellis (Agar) Viscount Somerton.

WILTSHIRE.
(*Northern Division.*)
Walter Long,
Thomas Henry Sutton Sotheron.
(*Southern Division.*)
John Benett,
Rt. hon. Sidney Herbert.

WINCHESTER.
Sir James Buller East, bt.
John Bonham Carter.

WINDSOR.
George Alexander Reid,
Hon. (John Hay) Lord J. Hay.

WOODSTOCK.
Hon. John Winston (Spencer Churchill) Marquess of Blandford.

WOLVERHAMPTON.
Thomas Thornely,
Hon. Charles Pelham Villiers.*

WORCESTERSHIRE.
(*Eastern Division.*)
George Rushout.
John Hodgetts Hodgetts Foley.
(*Western Division.*)
Hon. Henry Beauchamp Lygon,
Frederick Winn Knight.

WORCESTER.
Osman Ricardo.
Francis Rufford.

WYCOMBE (CHIPPING).
George Henry Dashwood,
Martin Tucker Smith.

YARMOUTH (GREAT).
Hon. (Arthur Lennox) Lord A. Lennox.
Octavius Edward Coope.

YORKSHIRE.
(*North Riding.*)
Hon. Octavius Duncombe,
Edward Stillingfleet Cayley.
(*East Riding.*)
Rt. hon. Beaumont (Hotham) Lord Hotham,
Henry Broadley.
(*West Riding.*)
Rt. hon. George William Frederick (Howard) Viscount Morpeth,
Richard Cobden.†

YORK.
Henry Galgacus Redhead Yorke,
John George Smyth.

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* Double return.
† Double return.

SCOTLAND.

ABERDEENSHIRE.
Hon. William Gordon.

ABERDEEN.
Alexander Dingwall Fordyce.

ARGYLLSHIRE.
Duncan MacNeil.

AYRSHIRE.
Alexander Oswald.

AYR, &c.
Hon. (Patrick James Herbert Crichton Stuart) Lord P. J. H. C. Stuart.

BANFFSHIRE.
James Duff.

BERWICKSHIRE.
Hon. Francis Scott.

BUTESHIRE.
Rt. hon. James Archibald Stuart Wortley.

CAITHNESS-SHIRE.
George Trail.

CLACKMANNAN AND KINROSS SHIRES.
William Morrison.

CUPAR, &c.
Edward Ellice.

DUMBARTONSHIRE.
Alexander Smollett.

DUMFRIES-SHIRE.
Hon. Archibald William (Douglas) Viscount Drumlanrig.

DUMFRIES, &c.
William Ewart.

DUNDEE.
George Duncan.

DYSART, &c.
Robert Ferguson.

EDINBURGHSHIRE.
Sir John Hope, bt.

EDINBURGH.
William Gibson Craig.
Charles Cowan.

ELGINSHIRE AND NAIRNE.
Charles Lennox Cumming Bruce.

ELGIN, &c.
George Skene Duff.

FIFESHIRE.
John Fergus.

FORFARSHIRE.
Hon. (John Frederick Gordon Hallyburton) Lord J. F. Gordon.

GLASGOW.
John M'Gregor,
Alexander Hastie.

GREENOCK.
Hon. William Hugh (Kynynmond) Viscount Melgund.

HADDINGTONSHIRE.
Hon. Francis Charteris.

HADDINGTON, &c.
Sir Henry Robert Ferguson Davie, bt.

MONTROSE, &c.
Joseph Hume.

INVERNESS-SHIRE.
Henry James Baillie.

INVERNESS, &c.
Alexander Matheson.

KINCARDINESHIRE.
Hon. Hugh Arbuthnott.

KIRKCUDBRIGHT.
Thomas Maitland.

KIRKWALL, WICK, &c.
James Loch.

LANARKSHIRE.
William Lockhart.

LEITH, &c.
Rt. hon. Andrew Rutherfurd.

LINLITHGOWSHIRE.
George Dundas.

LINLITHGOW, &c.
Rt. hon. Henry (Pelham Fynes Pelham Clinton) Earl of Lincoln.

ORKNEY AND SHETLAND SHIRES.
Arthur Anderson.

PAISLEY.
Archibald Hastie.

PEEBLES-SHIRE.
William Forbes Mackenzie.

PERTHSHIRE.
Henry Home Drummond.

PERTH.
Rt. hon. Fox Maule.

RENFREWSHIRE.
William Mure.

RENFREW, &c.
Hon. Edward Pleydell Bouverie.

ROSS AND CROMARTY-SHIRES.
James Matheson.

ROXBURGHSHIRE.
Hon. John Edmund Elliot.

SELKIRKSHIRE.
Allen Eliott Lockhart.

STIRLINGSHIRE.
William Forbes.

STIRLING, &c.
John Benjamin Smith.

SUTHERLANDSHIRE.
Sir David Dundas, Knt.

WIGTONSHIRE.
John Dalrymple.

WIGTON, &c.
Sir John MacTaggart, bt.

IRELAND.

ANTRIM.
Nathaniel Alexander,
Sir Edmund Charles Workman Macnaghten, bt.

ARMAGH.
Sir William Verner, bt.
James Molyneux Caulfield.

ARMAGH (CITY).
John Dawson Rawdon.

ATHLONE.
William Keoch.

BANDON BRIDGE.
Hon. Francis (Bernard) Viscount Bernard.

BELFAST.
Hon. (John Ludford Chichester) Lord J. L. Chichester,
Robert James Tennent.

CARLOW.
Henry Bruen,
William Bunbury MacClintock Bunbury.

CARLOW (BOROUGH).
John Sadleir.

CARRICKFERGUS.
Hon. Wellington Henry Stapleton Cotton.

CASHELL.
Timothy O'Brien.

CAVAN.
Hon. James Pierce Maxwell,
John Young.

CLARE.
William Nugent M'Namara,
Sir Lucius O'Brien.

CLONMEL.
Hon. Cecil John Lawless.

COLERAINE.
John Boyd.

CORK COUNTY.
Edmund Burke Roche,
Maurice Power.

CORK (CITY).
Daniel Callaghan,
William Fagan.

DONEGAL.
Sir Edmund Samuel Hayes, bt.,
Edward Michael Conolly.

DOWNSHIRE.
Hon. Arthur Edwin Hill,
Rt. hon. Frederick William Robert (Stewart) Viscount Castlereagh.

DOWNPATRICK.
Richard Kerr.

DROGHEDA.
Rt. hon. Sir William Meredyth Somerville, bt.

DUBLIN.
James Hans Hamilton,
Thomas Edward Taylor.

DUBLIN (CITY).
Edward Grogan,
John Reynolds.

DUBLIN (UNIVERSITY).
Rt. hon. Frederick Shaw,
George Alex. Hamilton.

DUNDALK.
Charles Carroll MacTavish, knt.

DUNGANNON.
Hon. Thomas (Knox) Viscount Northland.

DUNGARVON.
Rt. hon. Richard Lalor Sheil.

ENNIS.
James Patrick O'Gorman Mahon (The O'Gorman Mahon).

ENNISKILLEN.
Hon. Henry Arthur Cole.

FERMANAGH.
Mervyn Archdall,
Sir Arth. Brinsley Brooke, bt.

GALWAY.
Thomas John Burke,
Christopher St. George.

GALWAY (BOROUGH).
Martin Joseph Blake,
Anthony O'Flaherty.

KERRY.
Morgan John O'Connell,
Henry Arthur Herbert.

KILDARE.
Hon. Charles William (Fitzgerald) Marquess of Kildare,
Richard Southwell Bourke.

KILKENNY.
Pierce Somerset Butler,
John Greene.

KILKENNY (BOROUGH).
John O'Connell.*

KING'S (COUNTY).
Hon. John Craven Westenra,
Sir Andrew Armstrong, bt.

KINSALE.
Richard Samuel Guinness.

LEITRIM.
Edward King Tenison,
Hon. Charles Skeffington Clements.

LIMERICK.
William Smith O'Brien,
William Monsell.

LIMERICK (CITY).
John O'Brien,
John O'Connell.†

LISBURN.
Sir Horace Beauchamp Seymour, knt.

LONDONDERRY.
Theobald Jones,
Thomas Bateson.

LONDONDERRY (CITY).
Sir Robert Alexander Ferguson, bt.

LONGFORD.
Samuel Winsley Blackall,
Richard Maxwell Fox.

LOUTH.
Rich. Montesquieu Bellew,
Chichester Fortescue.

MALLOW.
Sir Charles Denham Orlando Jephson Norreys, bt.

MAYO.
Robert Dillon Browne,
George Henry Moore.

MEATH.
Henry Grattan,
Matthew Elias Corbally.

MONAGHAN.
Charles Powell Leslie,
Hon. Thomas Vesey Dawson.

NEWRY.
Hon. Francis Jack (Needham) Viscount Newry.

PORTARLINGTON.
Francis Plunket Dunne.

QUEEN'S COUNTY.
Hon. Thomas Vesey,
John Wilson Fitzpatrick.

ROSSCOMMON.
Fitzstephen French,
Oliver Dowell John Grace.

ROSS (NEW).
John Hyacinth Talbot.

SLIGO.
William Richard Ormsby Gore,
John Ffolliott.

SLIGO (BOROUGH).
John Patrick Somers.

TIPPERARY.
Nicholas Maher,
Francis Scully.

TRALEE.
Maurice O'Connell.

TYRONE.
Right hon. Henry Thomas Lowry Corry,
Hon. (Claud Hamilton) Lord C. Hamilton.

WATERFORD.
Nicholas Maher Power.
Robert Keating.

WATERFORD (CITY).
Thomas Meagher,
Daniel O'Connell.

WESTMEATH.
William Henry Magan,
Sir Percy Fitzgerald Nugent, bt.

WEXFORD.
James Fagan,
Hamilton Knox Grogan Morgan.

WEXFORD (BOROUGH).
John Thomas Devereux.

WICKLOW.
William Acton,
Hon. William Thomas Spencer (Wentworth Fitzwilliam) Viscount Milton.

YOUGHALL.
Thomas Chisholm Anstey.

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* Double return.
† Double return.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

First Session OF THE *Fifteenth Parliament* OF THE UNITED KINGDOM OF *Great Britain* AND *Ireland*, APPOINTED TO MEET 21 SEPTEMBER, 1847, AND FROM THENCE CONTINUED TILL 18 NOVEMBER, 1847, IN THE ELEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, November 18, 1847.

MINUTES.] The Lord Chancellor, singly, in the first place, took the Oaths; several Lords took the Oaths; Certificate of the Sixteen Peers for Scotland read.
NEW PEER. Baron Milford.

MEETING OF PARLIAMENT.

THE Fourteenth Parliament of the United Kingdom was dissolved by Proclamation on the 23rd July; and at the same time writs were directed to be issued for calling a new Parliament, which writs were made returnable on Tuesday the 21st of September. The Parliament so summoned was prorogued to the 12th October, thence to the 11th November, and thence to the 18th November; and accordingly met this day for despatch of business.

The Parliament was opened by Commission, the Lords Commissioners present being the Archbishop of Canterbury, the Lord Chancellor, the Lord President of the Council, Earl Spencer, and the Earl of Auckland.

Shortly after Two o'clock the Lords Commissioners entered the House, and took their seats in front of the Throne. Then

The LORD CHANCELLOR communicated to the Peers assembled, that Her Majesty, not thinking fit to be present, had ordered the Parliament to be opened by Her Royal Commission. He then directed the Usher of the Black Rod to summon the Members of the House of Commons.

After a short interval,

Sir A. Clifford, Usher of the Black Rod, followed by Mr. Ley, Clerk of the House of Commons, Mr. Green, and a very large number of Members, appeared at the bar; and the Royal Commission having been read by the Clerk at the table,

The LORD CHANCELLOR said: My Lords and Gentlemen, we have it in command from Her Majesty to let you know that you shall hereafter be informed of the cause of calling this Parliament together; but it being necessary that a Speaker for the House of Commons should first be chosen, you will for that purpose return to the place prepared for your meeting, and there be pleased to choose a Speaker, and present such person whom you shall so

choose here to-morrow, at Two o'clock, for Her Majesty's Royal approbation.

The Commons then withdrew, and the Royal Commissioners retired.

Several Peers have taken the oaths,

House adjourned.

HOUSE OF COMMONS,

Thursday, November 18, 1847.

CHOICE OF A SPEAKER.

The House met at a quarter after Two o'clock; and a Message being received to attend the Lords Commissioners, the House went, and a Commission having been read for Opening and Holding the Parliament, the Lords Commissioners directed the House to proceed to the Election of a Speaker, and to present him To-morrow at Two o'clock in the House of Peers, for the Royal Approbation. And the House being returned,

Lord SEYMOUR, addressing Mr. Ley, the Clerk, said: Having heard Her Majesty's gracious communication to the effect that this House is now called on to choose a Speaker, I present myself to the House for the purpose of making a Motion, which, I believe, will meet with the cordial unanimity of all who hear me. Those hon. Members who, in former Parliaments, have witnessed the ability, the judgment, and the impartiality with which Mr. Charles Shaw Lefevre has discharged the high and important duties of Speaker of this House, will at once agree with me, that in the present Parliament no other selection could be made equally satisfactory to Members within this House, or equally advantageous to the public service. Those hon. Members who have not had the advantage of previously sitting in this House, and of witnessing Mr. Lefevre's conduct in the Chair, will, I believe, also best discharge this their first public duty by agreeing in the selection of that right hon. Gentleman, who, in very difficult times, amidst the heat of party conflicts and public debates, has been able, with great courtesy and firmness, to maintain the authority of the Chair, and thereby to uphold the dignity and character of this great deliberative assembly. I believe, also, that they will derive from that right hon. Gentleman's experience, and from his knowledge of the details of private and public business, the greatest possible advantage with respect to those matters with which new Members cannot at once be intimately acquainted. Anticipating for my Motion the unanimous concurrence of all the Members present on this occasion, I conceive it will be now unnecessary for me to say more; and I therefore shall conclude by moving, that the right hon. Charles Shaw Lefevre do take the Chair.

Mr. J. A. SMITH: I rise to second the Motion of my noble Friend; and I do so with very singular satisfaction, because I believe that it rarely falls to the lot of any one to be able at the same time so perfectly to satisfy his sense of public duty, and also to gratify his personal and private feelings. High as has been the character of the distinguished men who in times past have filled the Chair of this House, and remarkable as has been the judgment of the House in the selection of those men who have been appointed to preside over its debates, I believe I may appeal with confidence to all present who have been before Members of this House, and also to public opinion, to decide whether among all those able and distinguished men who filled the Chair, there was ever any one who discharged the duties of the office more efficiently, or in a manner better calculated to command the confidence of the House and of the public, than the right hon. Gentleman proposed by my noble Friend. I do not intend to trouble the House with one single word with respect to the importance of the duties imposed on the Gentleman who is placed in the Chair of this House. This has been described so often, and so well, that it would be useless and presumptuous in me to occupy the time of the House by enlarging on the topic; and I feel also that a sense of the importance of the high office of Speaker is so firmly settled in the mind of this House, and in the mind of the country, that not one word is required from me in reference to that subject. But, with great humility, and with great deference, I would wish to say one word on a point which appears to deserve our attention. Every day, and every year, in my opinion, the character and influence of this House in reference to other countries are increasing in importance. We have recently seen important constitutional changes made in one of the most important States of the Continent. We have also recently seen changes proposed by another Power familiar to us by name, and closely connected with us by commercial ties, and we must shut our eyes if we do not acknowledge that constitutional and representative government, and attachment thereto, are

making advances throughout Europe. Under these circumstances, I think that the character and moral influence of this House, and of the individual who is appointed to preside over us, are year by year acquiring increased importance. I shall, therefore, most readily give my support to the Motion of the noble Lord, which I have now the honour of seconding, because I confidently believe that the high and important duties to which I have alluded cannot be placed in safer or more able hands than those of the right hon. Gentleman Mr. Charles Shaw Lefevre. That right hon. Gentleman has already proved that unvarying courtesy may be consistent with unflinching firmness and impartiality. Neither the heat of debate nor the violence of party have moved him from the faithful discharge of his duties. I shall support the Motion of the noble Lord, because I also believe that the right hon. Gentleman will assert the privileges of the House without fear or favour, and that this House, under his able guidance, will give to the world a proof that perfect order in our proceedings, and ready acquiescence in the decision from the Chair, are entirely consistent with that freedom of debate which I regard as one of the chief safeguards of the liberties of the country.

Lord G. BENTINCK: I am unwilling to allow this opportunity to pass without doing myself the honour of joining in the proposal made by the noble Lord, and seconded by the hon. Gentleman opposite. I am the more anxious to do this, because, when the right hon. Gentleman (Mr. Shaw Lefevre) was less known than he is now to the House, I joined in opposition to his appointment to the Chair; but the experience of the equal impartiality and dignity with which the right hon. Gentleman has occupied the position of Speaker of this House, has made it a matter of great congratulation, not only to me, but I believe to every one who at the time referred to opposed the selection of the right hon. Gentleman, that defeat attended our opposition. I feel that the authority of this House depends much on the calmness and dignity with which our proceedings are carried on; and I am sure that all who have had the happiness to witness the manner in which the duties of the high office of Speaker have been discharged by the right hon. Gentleman will join with acclamation in conceding to him pre-eminence over all those illustrious and distinguished individuals who on former occasions have filled the Chair. I could not allow this opportunity to pass without expressing my great satisfaction in supporting the Motion that the right hon. Charles Shaw Lefevre be again appointed Speaker.

Sir R. H. INGLIS: The same reason which has impelled the noble Lord (Lord G. Bentinck) to address the House, would justify every one who had been in the same position in rising to express satisfaction at the Motion now made. I concur in all those observations of the noble Lord in which he expressed his sense of the successful manner in which the right hon. Gentleman (Mr. Lefevre) has discharged the duties of Speaker, and also in those feelings with which the noble Lord now hails the resumption by the right hon. Gentleman of that high office; nor should I have troubled the House with another word if it had not been that, concurring in every word that has fallen from the noble Lord and the hon. Gentleman, the Mover and Seconder of the present Motion, I did not also wish to add another claim which the right hon. Gentleman has to our gratitude and confidence, and particularly as that claim is connected with conduct which is not seen by the House in general, but which is not the less important on that account to the public interests of the country —I mean the time, the attention, and the labour which the right hon. Gentleman devotes to the conduct of the private business of the House. It is scarcely necessary for me to trouble the House with details of the manner in which the private business of the House has increased within the last ten years. It will be enough to state that the private business of the last ten years has greatly exceeded in amount not only the private business of any preceding ten years, but any preceding thirty years; and to the larger part of that business the right hon. Gentleman has given the most anxious, patient, and personal attention. The House would be ungrateful if it neglected to acknowledge the services thus rendered by the right hon. Gentleman.

Mr. C. SHAW LEFEVRE: In rising to address a very few words to the House, I beg to assure my noble Friend the Member for Totness, and my hon. Friend the Member for Chichester, that I fully appreciate those feelings of personal kindness and regard which have induced them to speak of my services in terms of such high commendation, far beyond any merit which I could even hope to possess. I beg to assure the House that I feel I owe

to all its Members a very large debt of gratitude for the very favourable manner in which they have been kind enough to receive the proposition now made to them; and I feel altogether unequal adequately to express my thanks for this additional mark of their kindness. In all that has been stated in regard to the important duties attached to the office of Speaker of this House, I fully concur; and I admit with my hon. Friend (Sir R. Inglis) that they have been rendered of late years far more arduous by the vast accumulation of private business. The journals of the two or three last Sessions exhibit a mass of private business wholly unprecedented, affecting interests of the highest magnitude; and had it not been for improvements recently introduced, it would have been impossible satisfactorily to dispose of it. I cannot boast of having had much share in the suggestion of those improvements; but I shall always reflect with satisfaction that it has been my privilege to co-operate with hon. Members of this House in introducing those changes which have led to such beneficial results. Though experience has taught me that the ordinary duties of the Chair may be faithfully performed by unremitting diligence, patience, and strict impartiality, there are other duties of a more difficult nature, arising out of new and unforeseen circumstances, and allowing no time for deliberation or reflection, which continually occur during the progress of our debates, and which might well discourage much abler men than myself, and almost induce me to decline the honour now proposed me, were it not for the conviction that, should it be the pleasure of the House again to elect me to the Chair, the same indulgence and the same effectual support will be extended to me as I have hitherto received at all times and from all sides of the House. It is this conviction alone which at the present moment enables me in perfect confidence to place myself entirely at the disposal of the House.

Motion carried *nemine contradicente.*

Lord SEYMOUR and Mr. J. A. SMITH then conducted the right hon. Gentleman to the chair.

MR. SPEAKER: I beg to offer to the House my sincere and grateful acknowledgments for the distinguished honour it has again conferred on me; and I will endeavour to prove myself not altogether unworthy of the choice it has made, by pursuing strictly that line of conduct which this day, for the third time, has received its sanction and support.

LORD J. RUSSELL: I now venture to address the House for the purpose of congratulating you, Sir, and, I must add, the House itself, on the choice just made. That you, Sir, will maintain the privileges of this House—that you will act with strict impartiality—that you will render great service to the public in the conduct of the private business of this House, and in maintaining order in our debates—that you will so preserve order in this assembly as to conciliate those whom it may be your duty to reprove—these are predictions which are no longer matters of surmise or expectation, but of well-founded confidence. Your previous conduct in the Chair justifies the House and me in entertaining this conviction. It was your fortune to succeed to a person of distinguished learning, of great knowledge of the constitution, and of great experience in this House, and whose conduct in the Chair was received with approbation by this House. Placed in this position of disadvantage by the qualifications of your immediate predecessor, you have, nevertheless, established a character as Speaker of this House which is not a matter of envy to any one, but is equal to that of any former Speaker; and I trust that, being long in the possession of the honour now conferred on you by the House, your reputation may continue to increase, and that you may leave as bright a name to posterity as that of the greatest Speaker that ever sat in that Chair.

House adjourned at five minutes to Three o'clock.

HOUSE OF LORDS,

Friday, November 19, 1847.

MINUTES.] *Took the Oaths.*—Several Lords.

SPEAKER OF THE HOUSE OF COMMONS.

The Royal Commissioners appointed to approve the choice of the Commons were, The LORD PRESIDENT, Lord LANGDALE, Earl GREY, the Earl of AUCKLAND, and Lord CAMPBELL.

Shortly after Two o'clock the Commissioners entered the House, and took their seats in front of the Throne.

The LORD PRESIDENT directed the Usher of the Black Rod to inform the House of Commons that the Lords Commissioners desired their attendance there immediately.

After the lapse of a few minutes, the Speaker, Mr. Shaw Lefevre, appeared at the bar, attended by the Usher of the Black Rod, and followed by several Members of the House.

Mr. SPEAKER then addressed the Royal Commissioners as follows:—I have to acquaint your Lordships that, in obedience to Her Majesty's commands, Her Majesty's faithful Commons have, in the exercise of their undoubted rights and privileges, proceeded to the election of a Speaker; and as the object of their choice, however unworthy, I now submit myself with all humility to Her Majesty's royal pleasure.

The LORD PRESIDENT said: Mr. Shaw Lefevre, we are commanded by Her Majesty to assure you that Her Majesty is sensible of your ample ability to discharge those important duties which Her Majesty's faithful Commons have elected you to perform, and that Her Majesty most fully approves and confirms their choice.

Mr. SPEAKER: With the deepest gratitude I bow to the decision of the House of Commons, confirmed as it has been by Her Majesty's gracious approbation. It now becomes my duty, in the name and on behalf of the Commons of the United Kingdom, to lay claim, by humble petition, to those undoubted rights and privileges to which they have been heretofore entitled; more especially freedom from arrest for themselves and their servants, freedom of speech in debate, and free access to Her Majesty whenever occasion may require it; and they beg that Her Majesty will be graciously pleased to put the most favourable construction on all their words and actions; and for myself I have to pray that any error may be attributed to me alone, and not to Her Majesty's faithful Commons.

The LORD PRESIDENT: Mr. Speaker, we have it further in command from Her Majesty to inform you, that Her Majesty most readily confirms all the rights, liberties, and privileges which have ever been granted to or conferred upon Her Majesty's faithful Commons by any of Her Majesty's royal predecessors. With respect to yourself, Sir, although Her Majesty is sensible you stand in no need of any such assurance, we are commanded to assure you that Her Majesty will ever put the most favourable construction on your words and actions, as well as on those of Her faithful Commons.

The Commons then withdrew from the bar, and the Royal Commissioners retired.

House adjourned.

HOUSE OF COMMONS,

Friday, November 19, 1847.

APPROVAL OF THE SPEAKER.

The House met at Two o'clock, and a Message being received to attend the Lords Commissioners, the House went; and being returned,

Mr. SPEAKER (standing on the steps leading to his chair) addressed the House as follows:—I have to acquaint this hon. House that I have been to the House of Peers, where I communicated to the Lords Commissioners authorised by Her Majesty that this House had proceeded to the election of a Speaker, and that their choice had fallen upon me. The Lords Commissioners confirmed that appointment, and gave me the assurance of Her Majesty's gracious sanction thereto, whereupon I laid claim, on the part of this House, to its ancient and undoubted rights and privileges, especially to the privileges of freedom from arrest for ourselves and our servants, freedom of debate, free access on the part of this House to Her Majesty at all reasonable times whenever we require it, and that the most favourable constructions should be put upon our words and actions. And I have to inform the House that the Lords Commissioners were authorised on the part of Her Majesty to concede these privileges to the fullest extent to which they had ever been conceded by Her Majesty and Her predecessors to this House. I cannot make this communication to the House without again repeating to the House my sincere and respectful thanks for having again placed me in the high position which I now occupy, and without assuring them that it will always be my earnest endeavour, with the assistance and support of this House—and, after the proceedings which took place yesterday, I am confident that I shall always receive that assistance and support—to maintain the dignity and authority of this House, and that respect for its rules and orders, on a due observance of which not only the proper and satisfactory discharge of public business, but also the character of the House, must entirely depend. I have now to remind the House that the only business with which we can proceed is to take the oaths at the table required by law.

Mr. SPEAKER then took the oaths,

first alone; and after the remainder of the sitting was occupied in swearing Members.

House adjourned at a quarter after Four o'clock.

HOUSE OF COMMONS,

Saturday, November 20, 1847.

The House met at Twelve o'clock; the entire sitting was occupied in swearing Members.

House adjourned at a quarter after Four o'clock.

HOUSE OF LORDS,

Monday, November 22, 1847.

The sitting of the House was entirely occupied in swearing in such Lords as presented themselves.

House adjourned.

HOUSE OF COMMONS,

Monday, November 22, 1842.

The House met at Twelve o'clock; the entire sitting was occupied in swearing Members.

House adjourned at Four o'clock.

HOUSE OF LORDS,

Tuesday, November 23, 1847.

MINUTES.] *Took the Oaths.*—Several Lords.—Lord Strafford, having been created Earl of Strafford, took the Oaths.

SPEECH OF THE LORDS COMMISSIONERS.

The Lords Commissioners, the LORD PRESIDENT, the MARQUESS of CLANRICARDE, EARL SPENCER, and the EARL of AUCKLAND, being in their Robes, and seated on a Form placed between the Throne and the Woolsack, commanded the Gentleman Usher of the Black Rod to signify to the Commons that the Lords Commissioners desire their immediate Attendance in this House: who being come, with their Speaker,

The LORD PRESIDENT, in pursuance of Her Majesty's Commands, delivered the following Speech to both Houses of Parliament:—

"*My Lords, and Gentlemen,*

"HER Majesty has ordered us to declare to you the Causes which have induced Her to call Parliament together at the present Time.

"HER Majesty has seen with great Concern the Distress which has for some Time prevailed among the Commercial Classes. The Embarrassments of Trade were at one Period aggravated by so general a Feeling of Distrust and of Alarm, that Her Majesty, for the Purpose of restoring Confidence, authorized Her Ministers to recommend to the Directors of the Bank of *England* a Course of Proceeding suited to such an Emergency. This Course might have led to an Infringement of the Law.

"HER Majesty has great Satisfaction in being enabled to inform you that the Law has not been infringed, that the Alarm has subsided, and that the Pressure on the Banking and Commercial Interests has been mitigated.

"THE abundant Harvest with which this Country has been blessed has alleviated the Evils which always accompany a Want of Employment in the Manufacturing Districts. Her Majesty has, however, to lament the Recurrence of severe Distress in some Parts of *Ireland*, owing to the Scarcity of the usual Food of the People. Her Majesty trusts that this Distress will be materially relieved by the Exertions which have been made to carry into effect the Law of the last Session of Parliament for the Support of the Destitute Poor. Her Majesty has learnt with Satisfaction that Landed Proprietors have taken advantage of the Means placed at their Disposal for the Improvement of Land.

"HER Majesty laments that in some Counties of *Ireland* atrocious Crimes have been committed, and a Spirit of Insubordination has manifested itself, leading to an organized Resistance to Legal Rights.

"THE Lord Lieutenant has employ-

ed with Vigour and Energy the Means which the Law places at his Disposal to detect Offenders, and to prevent the Repetition of Offences. Her Majesty feels it, however, to be Her Duty to Her peaceable and well-disposed Subjects to ask the Assistance of Parliament in taking further Precautions against the Perpetration of Crime in certain Counties and Districts in *Ireland.*

"Her Majesty views with the deepest Anxiety and Interest the present Condition of *Ireland,* and She recommends to the Consideration of Parliament Measures, which, with due Regard to the Rights of Property, may advance the social Condition of the People, and tend to the permanent Improvement of that Part of the United Kingdom.

"Her Majesty has seen with great Concern the breaking out of Civil War in *Switzerland.*

"Her Majesty is in communication with Her Allies on this Subject, and has expressed Her Readiness to use, in concert with them, Her friendly Influence for the Purpose of restoring to the *Swiss* Confederation the Blessings of Peace.

"Her Majesty looks with Confidence to the Maintenance of the general Peace of *Europe.*

"Her Majesty has concluded with the Republic of the Equator a Treaty for the Suppression of the Slave Trade.

"Her Majesty has given Directions that this Treaty should be laid before you.

"*Gentlemen of the House of Commons,*

"Her Majesty has given Directions that the Estimates for the next Year should be prepared, for the Purpose of being laid before you. They will be framed with a careful Regard to the Exigencies of the Public Service.

"*My Lords, and Gentlemen,*

"Her Majesty recommends to the Consideration of Parliament the Laws which regulate the Navigation of the United Kingdom, with a view to ascertain whether any Changes can be adopted, which, without Danger to our Maritime Strength, may promote the Commercial and Colonial Interests of the Empire.

"Her Majesty has thought fit to appoint a Commission to report on the best Means of improving the Health of the Metropolis; and Her Majesty recommends to your earnest Attention such Measures as will be laid before you relating to the Public Health.

"Her Majesty has deeply sympathized with the Sufferings which afflict the Labouring Classes in the Manufacturing Districts in *Great Britain* and in many Parts of *Ireland,* and has observed with Admiration the Patience with which these Sufferings have been generally borne.

"The Distress which has lately prevailed among the Commercial Classes has affected many important Branches of the Revenue; but Her Majesty trusts that the Time is not distant when, under the Blessing of Divine Providence, the Commerce and Industry of the United Kingdom will have resumed their wonted Activity."

Then the Commons withdrew.

ADDRESS IN ANSWER TO THE SPEECH.

The Earl of YARBOROUGH: My Lords, I can assure your Lordships that although this is not the first time I have had occasion to address an assembly something similar to that of your Lordships, still I feel so inadequate to the task I have undertaken, that I am unaffectedly con-

strained to ask that indulgence which your Lordships, I have no doubt, are in the usual habit of kindly affording to Members who address your Lordships for the first time. I trust your Lordships will feel, as I do, that this is an occasion when one attempting to address your Lordships must labour under some difficulties; for there are subjects touched upon in the Speech which Her Majesty has graciously pleased to direct should be addressed to you, which require to be touched upon, as I think, most delicately, by the person who moves an Address in reply to that most gracious Speech, if, as I am most anxious should be the case upon the present occasion, he desires that the Address should receive the unanimous sanction of your Lordships. Whatever opinion noble Lords may have formed upon the conduct of those who advised Her Majesty upon a late occasion, every one must feel that, considering the circumstances in which the commercial affairs of the country were placed, the giving the power to advance further capital to the country was the best step which could have been taken; the commercial distress was greater than has existed in this country for a very considerable period; and I sincerely trust the measures of Her Majesty's Government will alleviate the distress consequent upon such a derangement in the accustomed stream of commerce. Many of your Lordships may differ as to the cause of that distress. Some may probably attribute it to the effect of a recent measure which received the sanction of the Legislature, more commonly known as the Bank Charter Act. Some may attribute it—and with those I shall certainly agree, for I think it is manifestly the case—to the great amount of money required to purchase food for the country during the past year. No doubt there have been other causes, and for some of them the Parliament itself does not stand wholly free from blame—the Legislature lent itself to the great encouragement of railroads. Such an amount of money was sanctioned to be raised for the purposes of those works as could not be drawn from the legitimate resources of the country. And, my Lords, the expenditure sanctioned for railways, coming contemporaneously with the great amount of money required for the purchase of food, greatly exceeded the abilities of the country. Upon referring, my Lords, to those returns which are an authority upon the subject, I find that the quantity of foreign grain imported this year, up to the 10th of November was 10,898,000 qrs. [Lord Stanley: Hear, hear!] I can understand the cheer of the noble Lord. The noble Lord supposes that this large importation was in consequence of the measures recently passed for temporarily suspending the duty upon the importation of foreign corn. But I think your Lordships will agree with me, that the immediate cause of such a large importation was the lamentable failure of the potato crop in Ireland, and also the deficiency of the harvests in this country in 1845 and 1846. Now, my Lords, suppose for a moment that there had not been any alteration made in those laws, I think the noble Lord (Lord Stanley) will agree with me, that it would have been impossible for any Government to have maintained them, while such an extent of misery and distress existed both in this country and in Ireland as we had unfortunately experienced during the past year. Well, my Lords, that was the quantity imported in 1847; there was also a very large quantity imported in 1846—it amounted to 4,770,000 quarters. This large importation had to be paid for; and, contemporaneously with this large expenditure, the Parliament, in the years 1845, 1846, and 1847, sanctioned a number of railways, to carry out which, required an amount of capital far beyond the ability of the country to furnish. In 1845 no less than 104 Railway Bills received the sanction of the Legislature, requiring a capital of 59,000,000*l.* sterling. In 1846, 240 Bills were passed, requiring an estimated capital of 132,617,000*l.*—8,000,000*l.* of that sum was transferred capital; still there was a power given to raise in that year no less a sum than 124,500,000*l.* The consequence of all that was, I believe, that many parties conceived the opinion that they could make rapid fortunes by speculating in those concerns, and they transferred their capital from trade to those speculations, not intending to invest their money in them, but in hopes of speedily getting it back again with large accumulations. The natural effect of all this was, that trade was very materially crippled; and the only wonder is, when the panic came, not that there was much ruin and difficulty, but that there was not much greater distress. These, my Lords, are not the only causes, nor probably nearly the whole of the causes of the misfortune which has recently befallen the country, but, in my opinion, they are some of them; and I

think when Her Majesty's Government found that the embarrassments of trade and commerce were so great—were so extreme, that a panic seemed to prevail throughout the whole of the commercial world—not because there was no money in the country, but because people were afraid to invest it—in my opinion, the Government were not only justified, but it was their duty, to take upon them the responsibility of allaying the panic in almost the only way it could be done—viz., by allowing the Directors of the Bank of England to issue notes on good security even at the risk of more notes being issued by the Bank than it was legally empowered to issue by the terms of their Charter. That power having been given, it is satisfactory to find that the necessity to act upon it did not arise; thereby clearly proving that it was a mere panic, and not a real want of capital the country was suffering under. In consequence of the communication which had been made by the Government to the Bank of England, the demand for bullion decreased from 1,994,000*l.* on the 23rd of October, to 1,605,000*l.* on the 25th, being a decrease of 389,000*l.*; and, therefore, I think that the commercial distress which prevailed was not altogether owing to want of money, because the proposition which was at that time made by the Government had the effect of restoring confidence in the country without the necessity of violating the Bank Charter Act; and I trust that trade will soon assume its usual channel, and that those interests which have suffered from various causes will speedily be restored to their usual state of prosperity. It is a source of great satisfaction to me, as I am sure it must be to every one of your Lordships, to know that contemporaneous with the pressure upon commerce, and the distress of the manufacturing population of the country, the country has been blessed with a most abundant harvest, and that consequently the supply of food has been far more ample and reasonable than in the year preceding; and I trust, that if we should be blessed with such another harvest next year, we shall find the condition of the people of this country generally improved. My Lords, it is with great regret I learn from Her Majesty's Speech the melancholy state of affairs in Ireland, and that there is likely to be a recurrence, to some extent, of the distress which prevailed in that country at the commencement of the present year; and that a necessity has arisen also for asking the co-operation of Parliament in measures for repressing offences which too unhappily prevail. My Lords, I am sure that while the British Parliament will always be willing to adopt measures to relieve the distresses of the Irish people, it will also readily support the Government in adopting means to provide for a willing obedience to the law in Ireland. I am confident your Lordships will be willing to believe that the utmost endeavours have been used on the part of Her Majesty's Government to enforce order, and to consider such measures as may be proposed for the extraordinary exertion of authority in repressing crime. But, my Lords, I think this country will, in the first place, require that every exertion shall be used by the proprietors of Ireland towards carrying out the relief of the poor; that the law passed last Session shall be observed and enforced. This country, I further think, will require that there shall be a willing obedience to the law; for, unless tranquillity prevail, no efforts to promote improvement can be expected to have a successful issue. All persons in this country, as well as in Ireland, must deplore the existence of a band of miscreants who go about wantonly destroying life. I believe that a sort of morbid feeling prevails against the possessors of land; that the occupants are resolved to keep their land, and not to pay rent to the proprietors. This information may not be correct; but I hope I am right in stating that those persons are few in number. They commit murder with seeming impunity, for they have struck a terror in the minds of those whose evidence can alone bring them to justice. Every person must admire the firmness and determination which the Lord Lieutenant has manifested during his short government of Irish affairs; and I am certain that your Lordships will assure Her Majesty that you are ready to assist Her Government in carrying measures which for many years they have been anxious to carry, and but for an organised system of opposition they would have carried, to repress crime and to produce peace and tranquillity in that unhappy country; which is necessary for enabling them to carry out those many liberal measures which they wish to pass for the benefit of that country; but of which the disorganised state is so likely to obstruct the progress. During the past year 10,000,000*l.* have been granted to employ the people on public works in

Ireland; and of that sum I believe 8,000,000*l.* has been expended. But, my Lords, while you are willing to grant pecuniary assistance to the people, let me again ask your Lordships to agree in assuring Her Majesty that ample provision shall be made for the exigencies of that country. My Lords, your Lordships, I have no doubt, will join with me in thanking Her Majesty for offering Her aid and influence for the purpose of putting an end to the state of disturbance which unhappily exists in Switzerland; and also for the assurance that the peace of Europe is not likely to be disturbed. Your Lordships will, I am sure, view with satisfaction the communication in the Royal Speech, that another country has expressed its willingness to assist in putting an end to the abominable slave trade; and I trust that the noble Lord at the head of the Colonial Department will, by some measure giving greater facilities to emigration to our colonies, lend additional assistance in putting down the abominable traffic in slaves. My Lords, Her Majesty has recommended to Parliament the consideration of the navigation laws; and your Lordships will, I trust, agree with me, that so great a desire exists in this country that something should be done with regard to these laws, that it is worthy the consideration of Parliament whether any alteration can be made in them which will assist in developing the resources of this country and her colonies, and which, at the same time, will not tend to diminish the pre-eminence of this country as a maritime Power. I feel confident that by a judicious relaxation of these laws, the mercantile interest may be greatly promoted; and it is also a question with me, whether thereby the naval strength of this country may not only not be impaired, but may on the contrary be greatly improved. My Lords, another subject in the Speech is well worthy of your Lordships' attention; and I think your Lordships ought to thank Her Majesty for calling the attention of Parliament to it—I allude to the sanatory condition of the people. It is a subject which I myself look upon as being of great importance; and I trust that any measure for sanatory improvement which may be introduced by the Government will not be confined in its operation to the metropolis, but that it will be extended to the whole country. My Lords, I feel that it is needless for me to say anything more in order to induce your Lordships to agree to the Address which I have now the honour of moving. The measures referred to by Her Majesty in Her most gracious Speech are of such paramount importance that they will doubtless receive your Lordships' immediate and grave consideration. My Lords, one word more with regard to Ireland. I am glad to find that while five or six years ago it was an uncommon thing to find the Lord Lieutenant of that country receiving support from the wealthy classes, that those parties are now laying aside their political differences, and are coming forward to support the Viceroy in maintaining the law, and are suggesting measures for the amelioration of the condition of their country. Your Lordships' best attention will no doubt be given to any measures for relieving the commercial distress which prevails, and also to any measures which may be proposed (if necessary) to make up any deficiency which I am afraid must exist in the revenue. The noble Lord concluded by moving the following Address in answer to Her Majesty's most gracious Speech :—

"Most Gracious Sovereign,

"We, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to return to Your Majesty our humble Thanks for the gracious Speech which Your Majesty has commanded to be made to both Houses of Parliament.

"We humbly thank Your Majesty for informing us of the Causes which have induced Your Majesty to call this Parliament together at the present Time.

"We beg to assure Your Majesty that we sympathise with the great Concern which Your Majesty has been pleased to express for the Distress which prevails among the Commercial Classes.

"In common with Your Majesty we lament to hear that the Embarrassments of Trade have been aggravated by a general Feeling of Distrust and Alarm; and we thank Your Majesty for intimating to us that Your Majesty has authorised Your Ministers to recommend to the Directors of the Bank of England such a Course of Proceeding as might restore Confidence, and be suitable to the Emergency.

"We beg to thank Your Majesty for the Assurance of the Satisfaction which Your Majesty expresses in being able to inform us that this Course has been adopted without any Infringement of the Law, that the Alarm has subsided, and that there has been a Mitigation of the Pressure on the Banking and Commercial Classes.

"We rejoice to learn that the late abundant Harvest with which this Country has been blessed

has had the effect of alleviating the Evils inseparable from a Want of Employment in the Manufacturing Districts.

"We concur with Your Majesty in lamenting the Recurrence of severe Distress in Ireland, in consequence of the Scarcity of the usual Food of the People.

"We beg leave humbly to express our Concurrence in the Hope which Your Majesty entertains that the Distress may be materially relieved by the Exertions made to carry into effect the Law passed last Session for the Support of the Destitute Poor; and we cordially participate in the Satisfaction expressed by Your Majesty that the Landed Proprietors have availed themselves of the Means placed at their Disposal by the Liberality of Parliament for the Improvement of their Land.

"We lament, in common with Your Majesty, the atrocious Crimes which have been committed in some Counties of Ireland, and that Spirit of Insubordination which has led to an organised Resistance to legal Rights.

"We humbly thank Your Majesty for informing us that the Lord Lieutenant of Ireland has used with Vigour and Energy the Means placed at his Disposal by Law for the Detection of Offenders, and for preventing the Repetition of Offences.

"We thank Your Majesty for the Intimation Your Majesty has given us, that Your Majesty has felt it to be Your Duty to Your peaceable and well-disposed Subjects to ask the Assistance of Parliament in taking further Precautions against the Perpetration of Crimes in certain Counties and Districts in Ireland; and we assure Your Majesty that we will take the Subject into our most serious Consideration.

"We humbly thank Your Majesty for the deep Anxiety and Interest which Your Majesty takes in the present Condition of Ireland; and we assure Your Majesty that we will give our best Attention to Measures which Your Majesty recommends to the Consideration of Parliament, which, with due Regard to the Rights of Property, may advance the social Condition of the People, and tend to the permanent Improvement of that Part of the United Kingdom.

"We assure Your Majesty that we participate in the great Concern which Your Majesty has expressed at the breaking out of the Civil War in Switzerland.

"We beg leave to express our Gratification that Your Majesty is in communication with Your Allies on this Subject, and that Your Majesty has expressed Your Readiness to use, in concert with them, Your friendly Influence for the Purpose of restoring to the Swiss Confederation the Blessings of Peace.

"We cordially rejoice in the Confidence which Your Majesty has expressed with regard to the Maintenance of the general Peace of Europe.

"We beg to express our Gratification that Your Majesty has concluded a Treaty for the Suppression of the Slave Trade with the Republic of Equador; and we humbly thank Your Majesty for having given Directions for laying this Treaty before Parliament.

"We humbly assure Your Majesty that we will take into our Consideration the Laws which regulate the Navigation of the United Kingdom, with a view to ascertain whether any Changes can be adopted, which, without Danger to our Maritime Strength, may promote the Commercial and Colonial Interests of the Empire.

"We thank Your Majesty for informing us that Your Majesty has thought proper to appoint a Commission to report on the best Means of improving the Health of the Metropolis; and we assure Your Majesty that, in obedience to Your Recommendation, such Measures as shall be laid before us relating to the Public Health shall receive our earnest Attention.

"We humbly assure Your Majesty that we participate in the deep Sympathy which Your Majesty has expressed for the Sufferings which afflict the Labouring Classes in the Manufacturing Districts of Great Britain and in many Parts of Ireland; and we fully concur in the Admiration which Your Majesty evinces for the Patience with which these Sufferings have been generally borne.

"We beg leave humbly to express our Regret that the Distress which has prevailed among the Commercial Classes has affected many important Branches of the Revenue; and, in common with Your Majesty, we trust that the Time is not distant when, under the Blessing of Divine Providence, the Commerce and Industry of the United Kingdom will have resumed their wonted Activity."

Lord ELPHINSTONE seconded the Address in a very few words, which were spoken in so low a tone that few of them reached the gallery. He was understood to say that the noble Mover had noticed every point in such a clear and able manner that nothing was left for him to remark upon.

The question having been put by the Earl of Shaftesbury,

Lord STANLEY: My Lords, I certainly had desired that some other of your Lordships had addressed you on the present occasion, who would have urged upon some Member of Her Majesty's Government the propriety of being more explicit as to the reasons for calling us together now than we have as yet heard explained

by either of the noble Earls who have moved and seconded the Address; as also of the intentions of that Government, and the explanation which they really have to offer for their conduct in summoning the Parliament together at this most unusual and inconvenient period—I should have wished that such an explanation had been given before I attempted to offer any of those observations which occur to me upon the Speech which has this day, by command of Her Majesty, been delivered to the House. But seeing that none of your Lordships are disposed to originate this discussion, and feeling that the country has never been called together under circumstances of greater anxiety and of greater alarm than at present—feeling that at this time of most serious difficulty, the Address to Her Majesty which has just been moved, though it is but the echo of a Speech singularly unmeaning in its character, and indecisive as to the purposes of Government, ought not to be passed over altogether in silence—under all these circumstances I trust your Lordships will hold me excused if at this early period of the discussion I present myself before the House for the purpose of submitting to your Lordships those views and impressions which that speech and the speeches of the noble Mover and Seconder of the Address have made upon my mind. I pass by altogether the speech of the noble Seconder; because I am well aware that my noble Friend has in the kindest manner, and upon the shortest notice, undertaken the duty which he has just discharged, and because he himself announced that he did not intend to speak in so doing beyond what was formally required of him. I shall address myself then, my Lords, to the Speech of the Government, and to those comments that have been made on that Speech by the noble Mover of the Address. My Lords, that Speech commences by informing us that the Lords Commissioners have been commanded to declare to Parliament the causes which have induced Her Majesty to call Parliament together at this early and unusual period. My Lords, I have looked attentively through that Speech, and with the exception of a most important, most anxious, and most painful expression of concern for the distresses of the country, I confess I find nothing in the way of satisfactory explanation for this early and unusual meeting. My Lords, I shall commence with the first subject in that Speech, which has been brought under the consideration of Parliament; and I must here do the Government the justice of saying, that, upon this occasion, they, at all events, have not disguised from your consideration the greatness, the intensity, and the universality of the difficulties in which this country is involved, whether we look to our domestic or social relations, to our mercantile or commercial interests, or to our colonial possessions. I have had the honour of a seat in Parliament for nearly twenty-five years, and at no period do I recollect the Ministers of the Crown compelled to point to a political horizon so entirely clouded with gloom—enveloped in such complete shadow, without a single ray of light to which they could direct your attention, or call for your congratulations; not a single topic has been alluded to on which Her Majesty could found those hopes which She entertains of a speedy return of the country to prosperity. All is regret and lamentation throughout.

"Her Majesty has seen with great concern the distress which has for some time prevailed among the commercial classes. The embarrassments of trade were at one period aggravated by so general a feeling of distrust and of alarm, that Her Majesty, for the purpose of restoring confidence, authorised Her Ministers to recommend to the Directors of the Bank of England a course of proceeding suited to such an emergency. This course might have led to an infringement of the law."

Her Majesty deeply sympathises with the sufferings of the people. And there is no Member of your Lordships' House who will not join with Her Majesty in this deep expression of sympathy with the sufferings of the labouring classes in the manufacturing districts of Great Britain. In England and in Ireland the people are suffering from this great distress. Her Majesty has to lament with your Lordships that the distress which prevailed amongst the commercial classes has affected many others beside.

"Her Majesty has, however, to lament the recurrence of severe distress in Ireland, owing to the scarcity of the usual food of the people.

"Her Majesty laments that in some counties in Ireland atrocious crimes have been committed, and a spirit of insubordination has manifested itself, leading to an organised resistance to legal rights.

"Her Majesty views with the deepest anxiety and interest the present condition of Ireland, and She recommends to the consideration of Parliament measures which, with due regard to rights of property, may advance the social condition of the people, and tend to the permanent improvement of that part of the United Kingdom."

With apprehensions concerning the existence of almost civil war — of deep concern for the commercial distress that

prevails at home, the Speech contains nothing but deep and painful lamentations — lamentations on account of the loss of revenue (but the cause of that loss we are still left to inquire into)—lamentations over the state of Ireland, with an intimation to seek for such further measures as may be considered adequate to meet the emergency of the case—lamentations over a system of insubordination that unhappily prevails throughout the sister country, which has led to the commission of the most atrocious crimes, and to the overthrow of almost every legal right. This, my Lords, is a state of things which, in my deliberate opinion, calls for your most serious deliberations. There is no one point of congratulation upon which the Government can meet this great Assembly. We meet here in the midst of anxiety, of lamentation over the past, of anxiety for the present, in apprehension of the future. Never was there a time in which it was more essential for the guardianship of the Crown to be swayed by men far-seeing into futurity, who are capable of observing accurately the signs of the times, with resolution to take their own bold and decisive course, while they throw themselves upon the sanction and support of Parliament — men who can state clearly and boldly their views, the causes as well as the effects of all these great national misfortunes, and, stating boldly the causes of these distresses, to state as briefly and boldly the line of policy they propose to adopt. Such men as these the country now much requires—men who would not fear in this emergency to throw themselves upon the support of all parties in this country; whether they be their political friends or foes, they need not fear but they would all join together, forgetting all party considerations, in the one grand and general effort to rescue our country from the imminent dangers which surround her, and save her from that state of distress hitherto unparalleled. These I hold to be the duties which the position of those who are at this time the Ministers of the Crown calls upon them to adopt. My Lords, the first point noticed in the Speech is the distress that exists amongst the commercial body. No man can deny that that distress has been and is deeply felt. I hear with much satisfaction, and I heartily join in congratulations to Her Majesty for the information Her Majesty has communicated to us, that the alarm which has recently existed in this portion of the community has considerably subsided, and that the pressure on the banking and commercial interest has been mitigated. I rejoice to hear that fact, if the information be really correct. Indeed I, for one, believe that there is some mitigation of this distress; but it is impossible as yet to say whether the alarm has really subsided; for your Lordships should recollect that you have not as yet received the accounts of the result of these commercial failures from our colonial possessions. You cannot as yet say what the extent and the width of this commercial alarm may be. My Lords, the noble Earl who opened the debate this night has claimed for the Government much credit for taking upon themselves the responsibility of going beyond the law when they became aware of the great commercial difficulties that existed. I am willing to join the noble Earl in the expression of thanks to the Government for taking this step, which meets with my hearty approval. I may, however, be permitted to express my opinion, that they ought to have given an earlier and more liberal assistance. If they had done so, they might have averted that panic which had so recently occurred. I do not, however, deny them the credit they deserve for having offered, though at the last moment, to violate the law for the purpose of saving the country, and authorising the infraction of a law so recently imposed. I know not, however, how to interpret the terms of that Speech which congratulates this House and the country that the law, notwithstanding the authority that was given for its infraction, has not been infringed.

"Her Majesty has great satisfaction in being able to inform you that the law has not been infringed; that the alarm has subsided; and that the pressure on the banking and commercial interests has been mitigated."

Now, I do not hesitate to say that, in my opinion, the law has been violated, if not by the Bank itself, by the Government, and that for that violation of the law they will require an Act of Indemnity from the Parliament. The Speech from the Throne sets forth, that "Her Majesty, for the purpose of restoring confidence, had, authorised Her Ministers to recommend the Bank of England to commit an infraction of the law." There are, I believe, some variations from this passage in the Address that has been moved in answer to Her Majesty's Speech. I was not, however, able to collect the precise import of

those variations; but I am sure the Government will be the first to acknowledge that the Address in answer to the Speech should be confined as closely as possible to the language of the Speech itself. The Speech procceds to say that Her Majesty has the greatest satisfaction in being able to inform us that the law has not been infringed. Now, I hope I shall be pardoned if I take issue on this ground, and say that the law has been infringed—the forms of the law have been actually broken through, although the violation of its provisions may not have been actually effected. Whether this was a law which justified a departure from it in some cases, is not a question which it is now necessary for us to consider; but that law prescribed that over and above a certain amount of security the Bank should not be permitted to issue notes, except to the amount of bullion they might have in their coffers. The Bank was brought to nearly that state of things when it would be impossible for them to issue other notes, and it would have been necessary for it to call for extraordinary assistance. I believe, that according to ordinary management, the reserve in the Bank ought to amount to 3,000,000*l.* or 4,000,000*l.*, at least; but it was actually reduced, lately, to a reserve, that did not exceed 1,300,000*l.* or 1,400,000*l.* At this time commercial pressure was at its greatest height. Uuder the operation of the Bank Charter Act it was necessary for the Bank to suspend the usual accommodation they were in the habit of giving upon undoubted security; and this result—though doubtless totally unexpected by its authors—was produced, that the anticipations that were generally entertained of the inability of the Bank to make further issues, or to afford greater accommodation, had the effect of inducing all the country banks, and all private persons possessed of property, to hoard up in their private coffers a store of bullion far beyond the amount required for the ordinary transactions of their business; and this accumulation, in addition to the 8,000,000*l.* of gold in the coffers of the Bank of England, necessarily caused a universal panic, which panic had the still more aggravating effect of preventing people from bringing forward those monies which they possessed, and which were wholly unnecessary for their immediate wants. At the same time gold was about coming into the Bank, that is to say, the Bank had fair reason to expect that at no very limited period gold would come in. Yet, under the stringent operations of the law of 1844, the Bank was unable to issue a single note beyond that which it had already in circulation, although they had 8,000,000*l.* of gold lying beside them untouched. Now, these were the circumstances with which the Government had to deal; and I think it is only right to give them credit for taking, though late, that step which had the effect of restoring confidence. In the first place, I have no doubt, that with the most laudable intention to prevent undue issue and lavish accommodation, the Government authorised the Bank to increase their accommodation at the risk of violating the law—at the risk of making the issue of notes larger than the due proportion of bullion in their vaults. Government, under their hand—under, I believe, the signatures of the Prime Minister and the Chancellor of the Exchequer—authorised and empowered the Bank, upon their own responsibility, to violate the law by the issue of a larger amount of notes than they were authorised to issue. At the same time precaution was taken, no doubt with the best intentions; but, I must be allowed to say, most unconstitutional in character, and wholly unworthy of this great country and the Government; for the purpose of taking undue advantage, they required most usurious interest to be charged by the Bank upon all accommodation granted, even upon the most undoubted security, with the obvious intention of neutralising with the one hand the boon they were bestowing with the other. I think that this step, in the first place, was most unconstitutional, inasmuch as they were thus raising money on the subject, not only without the consent of Parliament, but against the express prohibition and will of Parliament. My Lords, I cannot help thinking that this step was wholly discreditable to this country. The condition accompanying the boon was nothing short of this—namely, that Government should go halves with the Bank of England in the profits, while they fixed 8 per cent as the *minimum* rate, and left the Bank no option as to the rate at which they should use the power given to them. I see no justification whatsoever that Government can offer for this proceeding. They must come here to Parliament acknowledging their offence, and must answer to Parliament *ex post facto* for that offence. My Lords, it is no argument for their justification to say that the law has

not been infringed. It is no argument for me to say, if I sanctioned the murder of a man, that this murder has never been committed, inasmuch as the victim had never been met. I authorised the perpetration of the crime, and morally as well as legally I must be held accountable for my advice, as if under my advice the crime had actually taken place. If Government undertakes to suspend the Habeas Corpus Act without the authority of Parliament, or by its order, or to authorise the arrest of people without the forms of law, it is no answer to us to say that those circumstances did not arise under which those orders were to be acted upon; that because no man had been actually deprived of his liberty, therefore the Government is not responsible for having authorised the suspension of that enactment. So, my Lords, I submit that under that letter, containing these instructions to the Bank of England, they must be held as much responsible for the possible violation of the law as if the Bank of England had availed themselves of the authority so given, and had really violated the law. Then comes a question much more important to the commercial interest of this country; a question that is exciting the deepest anxiety, and creating the most careful investigations amongst the reflecting classes of the population; and that is the question upon which we have a right to call on your Lordships for the expression of your decided and candid opinions. The avowed object of that law was to regulate the currency of the country, to prevent undue speculation, to check undue trading, and to render impossible those acts which, it was said, led to commercial difficulties. Panics arose, difficulties came, pressure was felt, and it was held forth that the interests of the country were bound up with the maintenance of that law. But, at present, Her Majesty's Government have thought it their duty to suspend that law; and I ask Her Majesty's Ministers what they meant to do with that law? and that is a question which the country has a right to ask, and to which the country has a right to expect an answer from Her Majesty's Ministers, for they are clothed with the responsibility. They are in this dilemma—if the law be wise, and just, and expedient, and beneficial, they are inexcusable for having violated that law; and, in defiance of an Act of Parliament, suspended its operation. If they were justified in suspending the law, and if it was a law not applicable to fair weather only, but to all times; then it was their duty, as a Government, charged with the administration of this great country—than which no part of their duty is more important than that of watching the laws which regulated the whole commercial and monetary concerns of the country—it is their duty to say whether they intend to uphold that law in all its integrity, or, if not, what amendment of the law they intend to propose. That is a question which they ought to consider; and with these observations—and I think it had been better late than never that they had suspended the law—I will pass to other topics. I have a right to ask of the noble Lord who has just left his place, and to whom I think it would be rather an embarrassing topic, considering the course he has taken—I have a right to ask him, when is this commercial distress and pressure to cease? No doubt it has been said, that this distress partly arose from the undue amount of capital invested in railway undertakings. The noble Earl opposite, in his Address in answer to Her Majesty's Speech, undertook to give an account of the cause of that distress; and the noble Earl, while supporting Her Majesty's Government says, that a great portion of that distress was owing to the importation in the first nine months of the present year of 10,000,000 of quarters of foreign corn. Now, do not let the noble Earl and do not let the Government deceive themselves. I hope I shall not be led on this occasion into any discussion of the corn laws; but I cannot forbear calling to mind that, when those measures were in progress, I ventured to express an opinion, although it was met with a contemptuous expression on the part of a noble Friend of mine, that when these corn laws had been repealed, and provision made to meet the large supply, even when prices ruled moderate in England, we might look for an annual importation of not less than 4,000,000 of quarters of foreign corn. My noble Friend laughed at that prediction; but the result has more than borne out my anticipations, for we have imported, not 4,000,000 of quarters in one year, but, according to the speech of the noble Earl opposite—and I do not mean to deny the accuracy of his figures—in the nine or ten months of the present year, we have imported upwards of 10,000,000 of quarters of foreign corn. And, my Lords, the noble Earl, in moving the Address, while supporting Her Majesty's Govern-

ment, attributed the commercial distress existing in the country at this moment mainly to the large sums we have had to pay for this foreign corn. Now, really, on the part of the supporters of Her Majesty's Government, this is indeed a valuable admission; and for myself I must say that the event has in a remarkable manner verified the results which I had ventured to anticipate from these large importations. My Lords, I had sent me this morning by post a copy of a letter which was addressed to me in 1841 by Mr. Cobden, in which he draws a very glowing picture of the results of a free importation of corn. He says there will not be an unemployed man—not a mill short-handed—that new populations would spring up, churches and chapels be built—that the wholesale and retail trade—in short, everything would flourish if this happy event took place. My Lords, you have had an importation which the most sanguine of the supporters of that measure never dreamed of. You have had 10,000,000 of quarters in nine months. What, then, have been your imports and your exports? Your exports have been bullion for the payment of that corn; and that export will continue until the prices of your manufactures fall unnaturally and ruinously low, by dint of poor pay, and hard work, and stint allowance; and until you have been enabled to force your manufactured goods, in spite of hostile tariffs, into the markets of the Continent. With an importation of 10,000,000 of quarters of foreign corn, we have a diminution of all the great articles of export. Never was there a period when there were so many mills standing still—so many men upon short time—so many operatives unemployed. Never was there a time when so signal a discomfiture came to crush and destroy all the anticipations of mere theorists who thought themselves wiser than all the rest of the world. But, my Lords, this is not the whole of the case. The noble Earl—and he is right—says that our home market has failed, and now you are obliged to export to foreign countries to endeavour to prop up your declining trade. This great truth of the importance of the home trade has been verified by experience and by facts; and it is now shown that your foreign market, great as it is, is comparatively insignificant when weighed in the balance against our home market. My Lords, I do not, for one, attribute the whole of our distress to the repeal of the corn laws, or those measures of free trade which have been unfortunately adopted; but I say that the failure of the crops in England, having anticipated the repeal of the corn laws, by leading to that which you acknowledge to be the object of repeal, has resulted in a large importation of foreign corn as a substitute for British corn. The fulfilment of the prediction, however, has shown, that while the importation of a large amount of foreign corn has been ruinous to the farmer, it has not been profitable, but, on the contrary, ruinous to the manufacturers. My Lords, I have no hesitation in saying that that distress has been aggravated by the banking law of 1844; I do not hesitate to say, that at a period when a different policy was expected, the fact of the Bank being restricted in granting its usual accommodation to persons in business has a tendency, in connexion with the other circumstances to which I have alluded, to contract accommodation in other quarters; to impair confidence, produce panic; and that panic has led to a degree of distress and suffering more than commensurate with the capital and wealth of the country. It is not so much capital that is wanted as some exchangeable medium in which all parties would have confidence, and which would prevent that general stagnation and paralysation of trade which may still be remedied if the Bank, under the sanction of the Government, be enabled, acting upon sound principles of commercial prudence, to grant that temporary accommodation which may be the means of oiling the wheels of commerce, and preventing the machine from standing still for want of the ordinary medium of exchange. My Lords, I pass on to that passage in Her Majesty's Speech in which Her Majesty says—

> "The abundant harvest with which this country has been blessed has alleviated the evils which always accompany a want of employment in the manufacturing districts."

I do not clearly understand that paragraph; but I do understand this, that every abundant harvest in the country is an increase of its capital, and every increase of its capital which extends the means of procuring the necessaries of life must necessarily be beneficial to the manufacturing and commercial interests of the country. I wish you, my Lords, to bear in mind that nothing can compensate—no law can compensate—for the loss of that great national capital which must result from any great diminution of the amount of the cereal produce of the country. My Lords, I

heard with great pain the present state of Ireland. Her Majesty says that—

"Her Majesty has to lament the recurrence of severe distress in some parts of Ireland, owing to the scarcity of the usual food of the people. Her Majesty trusts that this distress will be materially relieved by the exertions which have been made to carry into effect the law of last Session of Parliament for the support of the destitute poor."

I believe, my Lords, that great exertions have been made—with more or less of success—I believe that great exertions have been made by the landed proprietors to carry into effect, at great personal and pecuniary sacrifices, and at great personal risk, the law for the support and maintenance of the destitute poor. I believe the landed proprietors of Ireland have exerted themselves to the utmost for the purpose of availing themselves of those means which the liberality of Parliament had placed at their disposal, in order to give employment to the poor, and alleviate the distress that existed. I will not now enter upon the question of the poor-law, in how far it may have been advisable to extend its provisions to Ireland. I do not desire to exempt the Irish landlords from one iota of that duty which has properly fallen upon them. They have their own improvidence, and that of their ancestors to thank, and they must bear the burden, whether deservedly or undeservedly, thrown upon them. But, my Lords, we must not place burdens more than mortal shoulders can bear, and we must not impose upon the property of Ireland heavier burdens than it can sustain. My Lords, there are districts in Ireland in which every shilling of rent—nay, I may say, the fee-simple of the land—would not be capable of maintaining the poor. The landlords upon whom you call to maintain the poor, to furnish employment, to borrow money in order to afford the means of employment, are absolutely penniless in consequence of an extensively organised combination to refuse or resist the payment of rent, which is the sole means of existence of these landlords. My Lords, my property lies in a district which is, comparatively speaking, free from distress; and although, after making the abatements I was called upon to make, the rents were fairly and punctually paid—I say this before your Lordships, that the expenses to which I was subjected in the present state of Ireland were such that in the course of the last half year—although my property was in a district which could not be called distressed—I have not received a single shilling from that property. I speak not now of the distressed districts, but one in which considerable care and much money were expended. I speak now of a comparatively comfortable tenantry—of a well-disposed tenantry—and willing to do their utmost for themselves; and I ask your Lordships, then, what must be the state of the landlords in the distressed districts, where their sole reliance is in the payment of their rents, and whom you now call upon to support that tenantry? My Lords, it would be far better if these landlords would throw up their property altegether; and it is only a sense of duty that retains many of them upon their property, to the sacrifice of all their substance, and the risk of their lives. My Lords, when I speak of the present state of Ireland, I must say that it is worse than a state of civil war; and dreadful is it to find the people enlisted in strife one against another—connexions, neighbours, and friends, all engaged in an open struggle, and meeting one another with arms in their hands. In a state of war a man knows his enemy, and is prepared to meet him: that is not the state of Ireland. My Lords, the best landlords, those who have expended their time, and labour, and money—who have sacrificed everything for the purpose of discharging their duty—who have sacrificed the comforts of civilised life, for such they must do in certain parts of Ireland, in order to do their duty to their tenants and dependants—those men, many of them I could name, who are Members of your Lordships' House, are besieged within their own houses, and incapable of moving beyond their own demesnes; are fortifying and defending their houses and gardens, and are actually prisoners within them, and with the knowledge throughout the country that their names are in the "black list." My Lords, these men are not deterred—they endeavour to execute their duty; and they hope by their sufferings to enlist your sympathies in their behalf. One by one we see those proscribed men cut off by the hands of the assassin. They wait till that slow but certain hand, against which no precautions can protect them, will assail them unprotected, or if protected—if subjected to the espionage of the police—whether passing to the cottage of the poor man, or to the house of God, or to the board of guardians, for the purpose of doing what in them lies to mitigate the sufferings of the poor, one by one they fall victims to the blow of the assassin,

which they have foreseen, of which they have been publicly forewarned. Some of them perhaps in the bosom of their family —perhaps even the blow may fall, as fallen it had, in a humble quarter, on the unhappy wife, who rushed forward and opposed her own body between the husband and the murderer—perhaps in open day, in the face of the whole community, and with the knowledge and connivance of half the country, the best, humanest, and most irreproachable men are, to the disgrace of a civilised community, cut off by the hand of the assassin. This is the state of things with which you have to deal in Ireland. My Lords, this country is disgraced, I do not deny, by many grievous crimes; but in this country, thank God! the sympathy of the whole country is in favour of the victim of assassination. The support of the whole country is awake to vindicate the law. The whole country is aroused to bring, at all events, to the vengeance of the law, the perpetrator of such nefarious actions. One universal feeling prevails in favour of the vindication of the law, the punishment of crime, and the repression of outrage. My Lords, that is not the case in Ireland. Be it timidity, or some worse cause, there no hand is raised to stay the deed; but, worse than that, no voice is raised after the blow to denounce the assassin. Nay, if a voice be raised, it is raised at the peril of life—in Ireland; it is safer to violate than to obey the law. My Lords, I approach a far more painful and more serious question than even this. I hope I shall be forgiven for entering upon such painful details; but they are forced upon me by the manner in which the circumstances of Ireland have been brought forward in Her Majesty's Speech; and I think there is no subject which more imperatively demands or justifies the immediate attention of Parliament. I speak with all respect of the Roman Catholic clergy. I believe that, if not all men of education, they are in the main pious and well-disposed individuals—indefatigable in the discharge of their religious duties—in devoting themselves to their flocks—and in sparing no pains nor toil in those offices which they believe it their duty to discharge. Having said this, I think it would be a crime to conceal the expression of my opinion, that, however the Roman Catholic clergy, as a body, may be desirous of repressing and discouraging offences, the Roman Catholic clergy, as a body, do not lend themselves to the support of the law. My Lords, I believe—perhaps it may be natural—but I believe that there is a kind of rivalry of authority with regard to criminal offences in Ireland between the clergy and the law. I believe that the sacredness of confession is carried to a degree dangerous to the civil Government and to the peace of the country. The Roman Catholic priest feels bound to conceal the secrets which the guilty man confides to him; and although I have heard of many denunciations against informers—and informer in Ireland means any man who joins in bringing offenders to justice; prosecutors, witnesses, all are classed under that name—while against informers there have been denunciations from the sacred altar without end, I never heard—I should wish to hear, it would give me the greatest possible gratification to hear—a declaration made, either publicly or privately, by pastoral letter, by private recommendation, or by authoritative declaration, in the temple of God, or outside the threshold, that it was the duty of every member of the community not only to abstain from crime himself, but to denounce to the civil authority those who might be guilty of premeditated crime. My Lords, I never heard of such a declaration; and I do believe, speaking with all respect of their merits, which I do not deny, that the Roman Catholic clergy do not in Ireland apply the influence which they have towards the support of the law, by recommending and enforcing as a solemn duty the denunciation to the civil authority of crimes which they knew to be premeditated, and which were afterwards accomplished. I must say, without attributing to any one of the clergy worse motives than those of imprudence, that among recent instances I have seen addressed to perhaps a too excitable peasantry denunciations of classes of individuals—denunciations of individuals—which denunciations could hardly fail of stimulating to acts of violence that excitable population. One most melancholy instance was followed within two days by the assassination of a man whom the priest had asked from the altar whether such a man deserved to live? Her Majesty's Speech holds forth certain expectations that some measure will be asked for for the repression of these crimes. I say, then, in my own name, in the names of my noble friends around me, and I am sure I may say in the name of England, in the name of humanity, in the civilisation, let those measures be effectual—let them be prompt. I say to Her Majesty's Min-

isters, let no fear of a loss of support from following such a course—let no fear of being taxed with inconsistency turn you from your duty. Throw yourselves upon the generosity—upon the justice of Parliament. Believe me, you will receive from us no unworthy opposition—no unworthy taunt. Believe me, you shall receive from us no flinching, no hesitating, no ambiguous support. Remember, it is you who are responsible for the life and property committed to your care. Life and property are above all constitutional theories; they are the foundation, the basis, the main bond of all constitutions and all rights. You, the Ministers, are charged with the maintenance of those rights. Demand what sacrifices you will from the Irish landlords. Compel them to discharge their duties; but, in God's name, protect them and their helpless dependants from the hand of the assassin. I recollect years and years ago, I was cried down almost for expressing an opinion which I entertain at this moment as strongly as I ever entertained it, that the law in Ireland must be feared before it can be loved—it must be looked up to for protection, and as a check to evil-disposed men, before the Irish people will bow to its authority. To the British Government the lives and properties of the people are confided—it is their duty to watch over and protect them. I give to the Lord Lieutenant of Ireland my cordial meed of praise; I believe that to the extent to which the law would go, he has exercised the powers intrusted to him with fidelity and vigour. But the greater the fidelity and vigour which he has displayed, the mere clear and manifest is the proof that the existing powers of the law are insufficient, and that further powers are wanting. Upon you, the Government, rests the responsibility of asking for those powers. My Lords, I will not believe that this or the other House of Parliament—I will not believe that the representatives of this kingdom, whose prime object must be to protect the people, and maintain the security of life and property—I will not believe that in either House of Parliament you will find any resistance to granting to your discretion, subject to your responsibility, the exercise of any powers which you may deem necessary. Earl Grey, as sound a constitutional Whig as any noble Lord whom I see opposite, did not hesitate to ask for the powers necessary to effect the object he had in view; and I trust you will not hesitate to ask for full and sufficient powers. Should Parliament deny you, on Parliament be the responsibility. My Lords, the subject on which I have just addressed you is of such deep interest, that I hardly know how to advert to those of minor importance. I find in Her Majesty's Speech, in reference to foreign affairs, a statement that Her Majesty, in concert with Her Allies, has offered Her mediation for the purpose of restoring peace to Switzerland. I only wish that Her Majesty's Government could promise to Parliament a speedy termination to the hostilities in that country. Speaking of our foreign relations, it is somewhat extraordinary that no allusion should have been made to the state of the war now going on between the United States and Mexico. With regard to the internal affairs of all foreign countries, my humble advice to your Lordships, and to Her Majesty's Goverement, is to interfere as little as possible. Last year I took the liberty of calling attention to the affairs of Portugal, and of remonstrating against the proposed intervention. My remonstrance was disregarded—an armed intervention took place. The effusion of blood was stopped, no doubt, and the civil war put an end to; but you undertook at the same time a task in which, as we told you, you would fail—namely, to guarantee the performance of certain acts on certain conditions. My Lords, I ask the Government, have you been able to fulfil those conditions? Has the Sovereign of Portugal implicitly followed the advice of those by whom alone her throne could have been saved? Or is the result this—that, whereas you have taken upon yourselves the anomalous duty of Minister of the Interior in Portugal, the consequence really is, after a system of intrigue, violence, and corruption in the election of the Cortes, the restoration, under British influence, of that Minister to power in Portugal to whose oppression and tyrannical conduct was owing the rebellion which you put down? I have nothing to say against Senor Cabral. If the Portuguese people desire him for their Minister, in God's name let them have him; but what I complain of is, that this country should intermeddle in the affairs of Portugal, and undertake a task in itself impossible, the result of which has been just as was predicted. I am surprised that the state of Italy should not have been adverted to in that part of Her Majesty's Speech relating to foreign affairs; for I hold the civil war now raging in Switzerland of infinitely less

importance as compared with the struggle now maintained between antagonistic principles in that country, where a revolution is going on which threatens the balance of power in Europe, in which we see ranged on one side a most liberal and enlightened Prince in all civil matters, but a most arbitrary one, as I conceive, in all of a spiritual kind. I know not what the Government are doing in this case, and I hope they are abstaining altogether—I hope they are doing nothing—but on an occasion like the present, it might have been decorous at least to have alluded to it. I hope there is no truth in the reports which have appeared in the newspapers from time to time, that a Member of Her Majesty's Government—a Member of the Cabinet—I hope there is no truth in the reports that Lord Minto has taken any part in this struggle, either one way or another, or has expressed publicly, or in any way, his own opinions, or still more the opinions of Her Majesty's Government, upon the subject; or that any Member of the Government has, indirectly or directly, given any opinion whatever as to the success or the result of that struggle; or that the Government are in the slightest degree committed by any indiscretion of their Agent which might be inconsistent with the obligations of former treaties. With reference to the concluding paragraph relating to foreign affairs, I confess that such was my geographical ignorance that I really was not aware that the Republic of the Equador possessed any ports or navy by means of which they would be able to assist in the suppression of the slave trade. No doubt, however, the noble Lord the Secretary for the Colonies will lay this important treaty on the table, though this, perhaps, was not one of the reasons why Parliament was called together. Your policy is the suppression of the slave trade. Take care what you do. Take care, in talking of the suppression of the slave trade, that you do not provoke us to a discussion which might show that the suppression of the slave trade on the left hand was carried out with its encouragement and support on the right. I believe that the report of the passing of the Act for the admission of slave-grown sugar was received in the Havannah with bonfires and illuminations; that it raised the price of slaves; that it gave an additional stimulus to the slave trade; and my firm conscientious belief is this, that if I had to choose between the two—the restoration of the prohibition in the markets of this country of slave-grown sugar, and the total withdrawal of all your squadron, maintained at such an expense and loss of life on the coast of Africa—if I had to choose between the two, I should regard as far more effectual, far more innocent, far less ruinous, far less destructive, the total withdrawal of your squadron, and the restoration of the former system. And, my Lords, that brings me to another and not an unimportant omission in the Speech of Her Majesty. I allude to the omission of any notice of one of the greatest sources, if not the very greatest source, of that distress with which the Speech is filled. There may have been imprudence, there may have been undue speculation, on the part of our merchants; but there is not a man among you bold enough to get up and say that the last blow which overthrew the great commercial houses connected with your colonies was not that Act by which you placed on an equality with regard to duty, but on a frightful footing of equality as to all other circumstances, your own colonial producers of free-labour sugar and the slave-labour producers of Brazil and Cuba. But how are we now to deal with that question? My Lords, I read the other day—I read with pain and grief—the speech of Sir Charles Grey to the House of Assembly of Jamaica, in which, speaking in the name of the Government, and yet speaking against his own honest convictions, with the ruin of those whom he was addressing staring him in the face, he says to them, "What would you have? When protection was withdrawn from corn, protection could not be maintained for sugar." And now the West Indians say, and say with some reason, "If we are to have no advantages in the markets of England—if our produce is to receive no preference—if we are to have no favour in consideration of the difficulties and the obstacles thrown in our way by your legislation, and not in the way of our rivals—at all events subject us to no further disadvantage; at all events let us send our produce in the cheapest manner and at the lowest rates." Thus it has happened that the protection to corn having been withdrawn, the protection to sugar also ceased; and the protection to sugar having ceased, your sugar manufacturers join in the ignorant and dangerous cry, that, for the protection of the mercantile interests of this country, you must sweep away the navigation laws. But my in-

ference from the course of your past policy and its results is directly the opposite to that. Undoubtedly if the principles of free trade are to prevail over everything—if buying in the cheapest market and selling in the dearest is to be your only rule, while you set aside all considerations of maritime superiority, of national supremacy and national honour—then you will do wisely to go on in your downward course, and to lower prices to the utmost possible extent. But, my Lords, I believe it would be a suicidal policy for a country like ours, which must depend for its command of the necessaries and the luxuries of life not on the narrow precincts of this ocean-surrounded island, but on the extent of its foreign traffic, and its possession of that portion of the world over whose commercial relations it exercises a paramount influence—I believe it would be a suicidal policy for such a country to abolish those navigation laws which form the nursery of its commerce. In the opinion of some persons, however, we must bow before a theory, and submit to become a secondary Power. My inference, on the contrary, from the consequences of your past course, is, that you ought now at length to see the ruin to which that course is driving you, and that before it be too late you ought to arrest your downward progress, and if it be possible retrace your dangerous steps. I find that we have now to contend with a deficiency of means to meet the national expenditure. But I can find in Her Majesty's Speech no statement of the manner in which Her Majesty's Government intend to meet that deficiency. I see that Her Majesty expresses a hope "that the time is not distant when, under the blessing of Divine Providence, the commerce and industry of the United Kingdom will have resumed their wonted activity." My Lords, I earnestly pray that that hope may speedily be realised. But I believe that if you desire that the industry of the country should revive, you must pursue a course of policy calculated to promote and encourage that industry. I do not think that that is the course you have of late been pursuing. I will take this opportunity of expressing a hope that there is no truth in a report to which I shall not further advert than to state that it has been circulated, that in the distresses and difficulties to which Her Majesty's Government are exposed, a ruinous and desperate attempt will be made to aggravate the pressure of direct taxation; and not only to continue a tax in the first instance temporary in its character, but to increase and extend that tax with aggravating circumstances in a manner into which I shall not now enter. I hope Her Majesty's Government have no such intention. I trust that they will rather feel it their duty, and that if they do not, Parliament will feel it its duty strenuously to resist any attempt to impose such a tax on the country in a time of profound peace; and that if there be a deficiency in the revenue, arising out of recent measures of the Government, sounder principles will be adopted—that to apply a well-known maxim, millions will be taxed for the purpose of raising millions; that you will not think yourselves wiser than the rest of the world; and that if your means are insufficient to meet the exigencies of the country (and God forbid I should throw any impediment in the way of meeting the national demands!), you will not have recourse to the dangerous principle of extending and aggravating direct taxation, but revert to the sound, sensible, old, universally-adopted system of raising a considerable portion of your revenue by the most legitimate source of taxation—namely, by imposing duties on articles of import. It is not my intention to disturb, on this occasion, the unanimity which it is desirable should prevail in presenting a dutiful and loyal Address to Her Majesty, as I am well aware—and I am sure that Her Majesty's Government will agree with me upon that point—that assenting to the Address will involve no expression of opinion with regard to the particular subjects indicated in Her Majesty's Speech, or with regard to any measures which the Government may hereafter deem it their duty to submit to Parliament. I pledge myself to nothing more than a respectful attention to the proposals which may be brought under our consideration. And I may add, that however strong and violent, perhaps, my opposition may be to measures which I believe to be founded on principles wholly and directly wrong, yet, on questions not involving such principles, but in which the interests of the country and the safety of the community are wrapt up, no feeling of resentment or hostility, if such a feeling be entertained, shall prevent me from giving to Her Majesty's Government for the maintenance of order, and for the efficient discharge of the public service, as loyal and as warm a support as if I had the honour of a seat on the benches opposite.

The Marquess of LANSDOWNE: I

shall state, my Lords, what I think to be the direct and main intention of Her Majesty in calling Parliament together; but I think the clear and powerful speech of my noble Friend plainly shows that he was pretty well satisfied of the nature of the objects which Her Majesty's Government had in view in causing it to assemble at this time. Her Majesty has, in the commencement of Her Speech, stated those views. What does She state in the commencement of it? She adverts to the great public distress, lamenting it, as we must all lament it; and, above all, the commercial distress which has existed in this country. Further, Her Majesty says that, to relieve that commercial distress, She has had recourse to a measure which the noble Lord himself admits to be a good one, but which has rendered it necessary and constitutional for Her Majesty to summon Parliament together at this inconvenient season, looking not to convenience, but to the principles of the constitution. But the noble Lord seems to think that it necessarily follows, that because Parliament is called together under those circumstances, and because a certain advice is given to the Bank of England, a Bill of Indemnity must necessarily be brought forward for the protection of Her Majesty's Ministers. I ask upon what does the noble Lord found that opinion? He states there has been a violation of the law on the part of the Government, although, as he admits, no violation of it has taken place on the part of the Bank. But although there has been no violation of the law on the part of the Bank, the noble Lord says he thinks there has been a violation of it on the part of the Government. And why? The whole burden of the noble Lord's argument consists in one point, which he has dwelt upon, but which has no foundation in fact. Her Majesty's Ministers have no authority, and claim no authority, to order the Bank, to direct the Bank, or to indemnify the Bank for any course they may take. They take that responsibility upon themselves; after being advised by two distinguished officers of the Government, they take upon themselves, not to authorise the breach of the law themselves, but to state their opinion that the act if committed could be justified. It was open to the Bank to reject that advice, and to follow or obey the law, if they thought it more expedient to do so than to rely upon the soundness of that advice. The noble Lord states that this has been done in consequence of a degree of commercial distress such as is undoubtedly without parallel; and although he did not distinctly express the opinion, the inference to be drawn from his statement is this, that that interference, which he thinks requires indemnity ought to have taken place at an earlier period. I am not ashamed to say that every one of Her Majesty's Ministers felt a very great indisposition to advise anything like a violation of the law. But what are the facts with respect to this measure? Two years only have passed over since the Government of which the noble Lord was a member introduced this Bill, not to meet the exigencies of any particular crisis, but to effect a permanent settlement of the commercial exigencies of the country: and it was thought by the noble Lord, and by the eminent individual who originated the measure, and also by the Houses of Parliament, in which the measure was scarcely opposed at all—in this House certainly it was very little opposed—to be a just measure for the permanent settlement of the question. If the pressure of the distress which prevailed through the country was felt only by persons who were not solvent, and who had engaged in speculation beyond their means, I do not think Her Majesty's Ministers would be justified in giving the advice which they have given, though certainly the whole of the transactions of the last few months disclose an amount of actual insolvency quite alarming in the country, and against which no Acts of Parliament or precautions could provide. But when most respectable, solid, and cautious houses were affected by the pressure, it appeared to the Government that the time had arrived when it was necessary to give that advice to the Bank of England, that they would be justified in a temporary violation of the law. When the noble Lord talks of the delay that has taken place in administering that remedy, if remedy it be, he has considerably overstated the case. The noble Lord is not quite correct, for he has stated that the Bank was reduced to a reserve amounting only to 1,300,000*l*. Now I can assure the noble Lord he is mistaken, for the lowest amount of the reserve in the course of two months was 1,600,000*l*. I have here a return which shows that the reserve in the lowest week was 1,600,000*l*. And it is to be observed that the instant this advice of Government was given to the Bank, the panic began to subside, without any violation of the law; and there had been an increase of bullion in the Bank,

almost progressively week after week, and the reserve was brought up in the course of three weeks to 3,208,000*l*. Now, my Lords, I do not hesitate to say, that the measure which Her Majesty's Ministers adopted with a view to the mitigation of that feeling of distrust which the embarrassments of trade had engendered in the public mind, was a successful measure; and I cannot but think that it ought to be a source of very sincere gratification that we should be enabled now to reflect that very great relief has been afforded to the public without the violation of the law which regulates the currency in this country. Her Majesty's Ministers felt that it was inconsistent with a sound and rational policy, that in a time of unprecedented panic so large a deduction should be made from the commercial resources of the country as was sure to follow from the practice of locking up a large number of balances, great and small, in the coffers of the Bank. Their advice under the pressure of the temporary emergency which arose was, that the commercial system should be eased by unlocking those sums; and it cannot be denied that the happiest results ensued. The noble Lord opposite, as I understand him, is not prepared to take exception to the course which we pursued in this matter; on the contrary, he approves our proceeding, but he would seem to argue that our temporary measure is a condemnation of that very law which he knows that he was himself in no small degree instrumental in inducing Parliament to adopt. For my part, I do not hesitate to declare that I would not be hasty or precipitate in condemning that law. I remember that it was solemnly suggested—that it was carefully analysed—that it was deliberately adopted by the wisdom of Parliament—and that it was supported by men of the very highest authority upon commercial and monetary questions; and this being the case, I do not think that it ought to be lightly condemned or frivolously dismissed under a temporary pressure, which a combination of circumstances utterly unusual, and not to be expected, suddenly occasioned in the commercial position of this country. If the noble Lord puts it to me as a categorical question, demanding an immediate answer, whether we are or are not prepared to propose a radical alteration of that law, or, in fact, its repeal, I would take the liberty of replying by means of another interrogatory. I would ask him whether he is now himself prepared, as one of the authors of that law, to take a different view of its policy from that which he entertained at the time when he supported it? I am very far from saying that there may not be grounds to warrant the reconsideration by the Legislature of those measures which regulate the laws of currency, and affect the general commercial and financial interests of the countro; but I cannot undertake to say that without much reflection or grave deliberation, I shall be prepared, in a mere fragment of a Session, to enforce any great change in our monetary system, or to give my support to any measure which may be brought by others with a view to that end. On the other hand, I am sure that neither the authors of the present system, nor those who may feel anxious for its preservation, would be inclined to fetter pedantically a law which may supply a salutary check on ordinary occasions, but which may also require revision and reconsideration to render it applicable to the particular state of things which from time to time may arise. A combination of circumstances, such as never before occurred, conspired to put the commercial interests of the country in jeopardy; and it cannot but be matter of gratulation that that jeopardy has been removed, and that the danger has been overcome by wise, judicious, and, I will add, prompt and timely assistance given in the form of advice by Her Majesty's Government. Passing to another topic of the noble Lord's speech, namely, our free-trade policy, I must be permitted to observe that it seems to me that nothing could be more unreasonable than his inference, which I remember was loudly cheered by many noble Lords, that the distress under which the country has been recently suffering so severely is to be attributed in any degree to the abolition of the corn laws. No rational men ever supported the repeal of those laws unless with the anticipation that a great influx of foreign grain into this country would be the result. And will any sane man say, that circumstanced as this country has been for the last twelve months, such a result was to be deprecated? Is the noble Lord himself prepared to say that he would have preferred starvation? The great object of those who advocated the abolition of protective duties was avowedly this natural and intelligible one, that in a period of scarcity at home, our granaries should, nevertheless, be full, and our people should have the means of sustenance. The noble

Lord is mistaken in supposing that the distress under which the country has been suffering is the consequence of a scarcity of corn. It was not corn that was at the bottom of it, nor is it in any degree to be attributed to the laws which regulate the importation of corn. The origin and foundation of all the evil are to be found in the sudden and total destruction of the potato crop, which involved the sustenance of many millions of persons, and created a deficiency which could not possibly be otherwise supplied than by an enormous increase in the importation of corn. The noble Lord knows very well that no Government that ever existed in this country would dare to have continued the corn laws in the face of such events as we have recently witnessed. He has no possible right to assume that the present state of things is a condemnation of the measure for the repeal of the corn laws. Circumstanced as the country has been, it is impossible to maintain that any inference adverse or the reverse to the corn laws, is to be drawn from the amount of foreign importation. I dismiss this portion of the noble Lord's address by the expression of my conscientious conviction that Her Majesty's Ministers, be the result what it may, took the only course that was open to them for the remedy of the commercial embarrassments which were the consequence of the disastrous calamity to which I have alluded. With respect to Ireland, I am deeply grieved to be obliged to say, that I have no choice but to acknowledge the general fidelity of the dreadful picture which the noble Lord has painted of the state of that country. His statement, that the population of that country are in a worse condition than if they were plunged in civil war, I accept as true, with this difference, however, that whereas civil war embraces in its disastrous effects the entire of the country which is so unhappy as to be scourged by it, the calamitous state of things which the noble Lord depicts with such faithful accuracy has been confined to particular districts—to particular counties. I believe I am warranted in saying that it is restricted to five counties at the most. The noble Lord has alluded to the portion of the country with which he is himself connected, and he has been under the painful necessity of bearing testimony to the want of order which unhappily exists there. I too will take leave to mention the results of my personal experience. In the county with which I am connected the distress has equalled, if it have not actually surpassed, that of any other district of Ireland; and yet I am bound in justice to the inhabitants to say, what I believe would be equally applicable to the populations of many other districts, namely, that the inhabitants have for the most part conducted themselves wtth a degree of patience, fortitude, and heroism, all the more honourable because of the dreadful privations and sufferings they have had to endure. That the law should have been so outrageously violated as it has been in some districts of the country, must of course be matter of sorrow and indignation to all; but I am happy to find that we shall not have to encounter the opposition of the noble Lord or his friends in the efforts which we may feel ourselves called upon to make for the enforcement of law, the preservation of order, and the security of human life. I do not attempt to disguise that it is likely we may have to seek an extension of the law, with a view to taking further precautions against the perpetration of crime in those districts where a spirit of insubordination has outrageously manifested itself, and where popular sympathy appears to go with the malefactor. The Lord Lieutenant has tried the power of the law as it at present stands to the utmost, and he admits that it is inadequate to the repression of outrage. He has given to the whole subject the most serious attention, bringing to it the application of a clear and vigorous intellect; but he admits that the means which the law places at his disposal are totally insufficient for the repression of crime; he comes to you to solicit extended powers. It will be for you hereafter to consider under what particular conditions those powers ought to be entrusted; but when the question comes to be discussed, I hope you will have no difficulty in giving the Government credit for the manner in which they will submit the subject to Parliament, and that you will also acknowledge that no delay that could have been avoided has taken place in preparing the necessary measures. The noble Lord opposite, in speaking of the movement now progressing in Italy, took occasion to censure us for our alleged readiness to meddle with the internal broils of other countries; but I cannot think that there was justification for the allusion. I can assure him and your Lordships generally, that the whole object of Lord Minto's mission into Italy, and of our interference, is to

promote such a course of action on the part of the Governments and people of Italy as may lead to the prevention of what we cannot regard otherwise than as a calamity—namely, the military intervention of foreign Powers. It is by advice alone that we seek to accomplish what must be admitted to be a most desirable consummation; and I certainly do venture to entertain a hope that the counsel which we offer with such pure intentions may be followed, and that, through the wisdom of the actual and lawful sovereigns of Italy, a great calamity may be averted, and the welfare of those who inhabit that lovely and classic land materially advanced. Our advice has only been given, and will only be given, in concurrence with other Powers, and no suggestion of ours shall be inconsistent with the preservation of the essential characteristics and foundations of the present Governments. The noble Lord has alluded with some levity to the treaty which Her Majesty has concluded with the Republic of the Equator. The suppression of the slave trade must surely be admitted on all hands to be a most desirable matter; but it cannot be effected except through the co-operation of Powers great and small. The Government of the Equator is as well founded as that of any other Power in the same hemisphere; and there is nothing that I am aware of to incapacitate it from negotiating on such a subject with England. The noble Marquess concluded by expressing a hope that the anticipation with which Her Majesty's Speech concluded would soon be realised, and that severe though the distress had been which had long prevailed amongst all classes, the day was not distant when the skill and industry of the country would resume their customary energy, and those great commercial resources would again be in full play which had contributed so much to the glory, greatness, and prosperity of England.

Lord ASHBURTON said, that he could not refrain from expressing his satisfaction at the determined and vigorous course which it was proposed to pursue for the purpose of suppressing the system of crime which prevailed in many districts of Ireland. But it had been supposed that the first object of calling Parliament together was to pass a Bill of Indemnity for the course pursued by the Government as to the Bank Charter Act; and yet they were now told that it was not the intention of the Government to ask for any such Bill. The recommendation, however, to the Bank was such, that Her Majesty had been advised to say that it must have led to an infringement of the law; and it appeared to him singular that Her Majesty's Government should suppose that a recommendation to violate an Act of Parliament could be disposed of in so summary a way. But this was not all. He had been waiting anxiously to hear what were the intentions of Her Majesty's Government; and the next declaration which he had heard was this—not only that the Government required no Bill of Indemnity, but that it was not the intention of Government to alter the Act of 1844—which, in his opinion, if not the cause of it, had greatly exaggerated the recent commercial distress, and made that very great which without it would have been little or nothing. He trusted that, if that intention were persevered in, some opportunity in that House and in the other would be afforded of taking the sense of the Legislature upon the subject. His noble Friend had been taunted with being a Member of the Government at the time when that Act was passed; but he thought that no blame was imputable to Sir Robert Peel, or to the Government of that day, for passing the measure, because all persons acquainted with the operation of such measures knew that, until they were tried, the most sagacious might be disappointed as to their effects. At the time when that Bill passed he had remarked that it was an experiment, and that he felt considerable doubt as to the operation of the complicated species of machinery which the Act provided; but it would be most unjust to impute blame or ignorance to any one for proposing it, though he did blame the blindness to public opinion which was evinced by those who still denied that it had signally failed in the opinion of the country at large. In the way of commercial pressure, he recollected nothing equal to what had been experienced during the last four months. Houses had failed by dozens; indeed, he believed that he could sum up nearly 100 commercial establishments whose business had been suspended. Some very extraordinary causes had been assigned for that state of things. The noble Lord had spoken of imprudent speculations: a portion of these unfortunate merchants had no doubt engaged in imprudent speculations; but these speculations were prudent at one time, and were entered into from reliance on the Government; but they be-

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came imprudent in consequence of the measures of the Government affecting the West India and Mauritius trade. The state of these colonies was quite indescribable: even the bills of agents drawing upon their proprietors at home were not taken up. Over-trading was also spoken of; but what was properly called an over-trading? It was where a man traded beyond the proper means of his capital, and that capital was a connexion of capital and credit. So these houses were carrying on business with a certain portion of capital and a certain portion of credit; and so the whole trade of the country was carried on. If, therefore, they said that these merchants were over-traders, and without pity to be condemned as having brought their own ruin on themselves, they would in fact destroy, as they had destroyed, the greatness of the commerce of this country. When that credit was wholly or even partially withdrawn, then interest rose to 10, 12, or 15 per cent, and that produced at last a total suppression of credit. Under the old system, the Bank occasionally afforded accommodation as low as three per cent, or even $2\frac{1}{2}$ per cent; and if it was the intention of the Government not to remove the present restriction which prevented that from being done, he could only assure them that they had called Parliament together for the purpose of encountering a larger amount of unpopularity than any Government had encountered for many years; for if there was one measure which, in the commercial world, had excited more opposition than any other, it was the Bank Charter Act of 1844. The avowed object of it was to secure payments in specie; and it was said that there was no security for the punctual payment on demand of notes in specie unless the Legislature regulated the issue from the Bank. He had always said that there was great mischief in having the issue and the banking department united; and this was an illustration of it. What had been the result? The Bank, with three millions in its stores, was on the point of stopping payment. It was in danger of exceeding the limits of the Act, but it was in no danger of not being able to pay its notes in specie. The consequence was, that, instead of regulating their issues as the old Bank of England did, they relieved themselves by raising to a usurious rate the interest of money. When this matter came to be more closely considered, he hoped that another branch of the subject would not be overlooked; but that they would inquire whether they had not too hastily determined on the repeal of all the usury laws. He believed that the repeal of the usury laws was a part of that free trade which included everything foolish in legislation. Of this he was quite sure, that if it were established frequently, or occasionally even, the interest of money might be raised to 7 or 8 per cent, the entire destruction of all the trade and all the manufacturing interest of the country must follow. It would then go to countries where capital was cheaper, or where, at all events, the rate of interest was not subjected to fluctuations from $2\frac{1}{2}$ to 8 per cent. Again, he should like to have heard some explanation why the Bank was to ask a minimum interest of 8 per cent. The rate of interest out of doors was, at that time, 7, 6, or 5 per cent; and if it was said, why then did not people go elsewhere than to the Bank? the answer was, that perhaps twenty millions sterling might be out in bills at six weeks; and as the larger portion of them must be renewed, at whatever price, the Bank had the opportunity of forcing 8 per cent from those unfortunate merchants, now called over-traders, though their over-trading arose from the operations of the Bank. The noble Lord took credit to the Government for the delay in issuing their recommendation to the Bank; but he forgot that, if issued much sooner, it would have had the effect of saving a number of houses from ruin. Why that particular time should have been chosen by the Government, he could not imagine, except that the pressure of necessity came on them from all quarters. That the relaxation of that restriction was necessary, was exclusively proved by the fact, that, no sooner was the order given to the Bank, than general confidence returned. If that relaxation produced the instantaneous effect described by the noble Lord, the evil must be attributed to the restriction which was so relaxed. The whole state of the circulation was relaxed from the moment when that resolution was adopted. Upon the other causes of this crisis he quite agreed that no effect could be well attributed to the operations in the corn trade, because that trade was in pretty much the same state as if no alteration had taken place in the corn law. The necessity for importation had undoubtedly its effect in pressing the balance of exchange against this country; but when they found that 4,000,000*l.* or 5,000,000*l.* only went out of the country, whilst the

Bank had 15,000,000*l.* or 16,000,000*l.* in its stores, and was positively encumbered with its gold, no great effect could have been produced, if it had been relieved of 4,000,000*l.* or 5,000,000*l.* only; and he firmly believed that, if the Bank had not had the terror of the Act of 1844 before its eyes, it would have gone on with the existing supply of bullion without any panic, precisely as before. Much of the calamity which had afflicted the country might be traced to the operation of the late commercial measures which been introduced into this country. Upon this subject there was a fallacy into which the mere free-trader was constantly falling, in illustration of which he would take the article of sugar, as that was an article on which the change had been very recent. The free-trader seemed to think that the mere cheapness of the price of an article was that on which everything else depended, whether that cheapness was the result of British or of foreign industry. Now he totally differed from this opinion. The fallacy of the system rested upon this —the free-trader said, that the cheapness of an article was everything, whereas he (Lord Ashburton) said it was not the cheapness, but the means which the purchaser had of purchasing. Now, what did it avail to the consumer if they brought sugar down 2*d.* or 3*d.* in price, if, at the same time, they took away — and their Lordships would remember that the same policy had been applied to all other articles as well as to sugar—if they took away the means which ordinary men had of buying it altogether? If they destroyed the means by which their own countrymen could, by the produce of their own industry, buy a cheaper article, it was of no use to make it cheaper.

Lord BROUGHAM said, that when Parliament was called together last Session, he took occasion to censure the delay of noble Lords opposite in delaying to apply for an indemnity for an act which, though certainly right in itself, was yet a breach of law; and his argument then was, that when the protection of indemnity was required, it was the duty of those who required that protection to lose no time in applying for it. That being the case, he could not but approve of the resolution taken in the present instance to call Parliament together *quam primum*, though certainly none of their Lordships could have felt so much as he had done that which a noble Friend of his had already referred to as the inconvenience of Parliament meeting at the present time. Noble Lords opposite had placed themselves in a position in which it was probable, or at least possible, that an indemnity might be needed; because, if that act had been done which was contemplated, and if that act was illegal, which there was no doubt it was, they would then have required an Act of Indemnity. But he thought he must have misunderstood the noble Marquess opposite when he represented Lord John Russell and the Chancellor of the Exchequer as giving their advice to the Bank in their capacity of private individuals. It would be the most unbecoming thing possible, with all respect to his noble Friend, that these individuals, however distinguished, should, in their private capacity, have given advice to such a body as the Bank. He had nothing further to say regarding the indemnity except this—that if anything had been done which required an indemnity, there would have been no difficulty in obtaining it. But it was his clear and deliberate conviction, even before this question had attained that fearful magnitude which it now did — even in the earlier part of last autumn—whether or not this was the proper course to be adopted — whether or not Ministers had taken the right way, he did not stop to inquire; being satisfied that interference was absolutely necessary, and that the interference, when it took place at all, must be with the Bank Charter Act, and therefore with that he was disposed to be satisfied, and to raise no further question or comment. But he could not help stating that when he saw a course of events most painful to his mind, particularly when he saw the effects that were produced upon the whole commerce of the country by the acts of the Bank itself in changing so often their course of proceedings; first lowering the rate of interest, afterwards as suddenly raising it, when it ought not to have been suddenly so raised; then, ultimately, on raising it so high as almost to amount to a refusal; and, last of all, in refusing it altogether; and then when the pressure upon the commerce of the country was becoming insupportable, and wide-spread ruin was observed in all directions, that Government was obliged to interfere, and to interfere by directing the company to alter their course even as if no Act of Parliament were in existence at all—when he witnessed all this, he felt he must denounce a company possessed of such im-

mense powers; and doubts, or rather more than doubts, had passed through his mind, whether the existence of a great body such as this, possessed of so much influence and power over all the commercial concerns of the empire—whether the existence of such a body was not too dearly purchased, even notwithstanding all the benefits it might confer. Before sitting down he wished to express his opinion, though it would be very shortly, upon that other cause which had brought Parliament together—the state of the sister kingdom. There was no man who felt more than he did how much we owed to Ireland, as reparation for the evil policy which, for successive centuries, had been inflicted upon her. No man was more ready than he was to confess how much was due from this country to that, and from the empire at large. But, at all events, one thing was clear beyond dispute, that before any attempt was made to repay that which might be still owing, or to retrace their steps, if they had taken any steps in the wrong direction—before anything could be attempted or thought of, or even named in debate, except as a topic for discussion—the one thing needful was, that the present state of the country should by the force of law be altered. To be sure, it was only in five or six counties that this deplorable state of things existed; but there could be no doubt that if these outrages were suffered there, they would not be long confined to those five or six counties. For what was the present war waged by these wicked men, and by the still more wicked, because less ignorant men, the instigators of their crimes, be they lay or clerical? Why, the war was waged against property itself; and therefore to think, as some would tell them, to hope to put an end to this state of things, and to put down these enormous crimes by any improvement in the law of landlord and tenant—by the introduction of what was called a law of tenant-right, was absurd and preposterous. Why, it was not a new law of landlord and tenant—it was not compensation for the outlay which a tenant might have made during his lease, or which a tenant at will might have made during his holding at will—that was not what these men wanted—what they wanted was, that there should be no law of landlords at all—that the relation of landlord and tenant should cease by the tenant becoming the landlord, and by the landlord being expelled or exterminated from the country. If, therefore, he saw—which he must confess he did not—any project of law which, rendering justice to the one party, would yet relieve the other—which, without injury to the landlord, would yet secure the interest of the tenant—which, without interfering with the sacred rights of property, would place the tenure of land on a more equitable and solid footing than it now stood on—even if he saw such a measure, which he did not—for he must say that the question was surrounded with far more difficulties than the greatest talkers on the question could conceive—even if he found one, he would say this was not the time—this was not the moment—it was not to be thought of—it was not to dreamt of—far less to be mentioned, until the law were vindicated, and the perpetrators of murder, with the abettors and instigators of murder, put down. He well recollected, that in 1812, when a foul assassination was committed in the lobby of the House of Commons—it was early in the period when an inquiry was instituted into the Orders of Council—in which his noble Friend (Lord Ashburton) and himself took the principal share—he well remembered going to Lord Castlereagh on the morning after the murder, and that in consequence of a report which had that day been spread abroad, that the Orders in Council had led to the assassination; he strongly recommended to Lord Castlereagh, that at least some interval of time should elapse between that assassination and the recall of those measures. For it had been reported, and very generally, that the assassin was an American merchant; and that the murder he committed had some connexion with the Orders in Council, and therefore, though nothing could be more just than that these Orders should be recalled, he (Lord Brougham) thought, that at least, some delay should take place in order to dissociate this event from that. Upon the same grounds, he insisted now, that whatever they did in Ireland, ought to be done, not because of these outrages—not with a view to prevent their continuance, or their repetition, but that it ought to be put down upon its own ground; and that these outrages should be put down independently, and by the strong arm of the law. Ireland stood in a position at this hour of shameful and hateful pre-eminence. It was the country in the whole civilised world in which life was the least secure; there was no country in the whole world, including even the most savage and barbarous people, in which life

was less secure than in Ireland. Could their Lordships conceive a system which was more likely to extend the number of its converts than one which was intended to put an end not only to the claims of the landlord, but really to all legal claims whatever? For he observed that one of the late murders which had been committed was that of a person who had lent money, and who held judgment against his debtors, when these debtors entered into a conspiracy to shoot their creditor. What the measures that were necessary for putting down this detestable state of things might be, he agreed with his noble Friend, it would be better not now to speculate upon, but to wait until they were fairly before them. He was sure that from no quarter of the House would any measure meet with any thing but the strongest desire to support the dignity of the law; they would go all possible lengths to restore its supremacy; and he hoped the noble Lords opposite, in this as in other measures, would cautiously avoid the error of adopting this course, or of refraining from that, to conciliate this knot of men, or to neutralise the enmity of that. Let them take their own course—let them throw themselves upon Parliament and the country—let them propose those measures which they themselves approved of, and he would answer for it that they would receive the general support of both Houses of Parliament; and they would have the satisfaction of doing their duty without the disadvantage—though he knew that to them was a very minor consideration—without the disadvantage of risking their authority, or risking their tenure of office. Nay, he would state farther, that even in the other House, any well-considered measure on their part would be received without any serious chance of opposition from any quarter whatever. One party would support them because it was right, and another party because the Government bid fair for a long tenure of office; because he would state that the present Government had as fair a chance as any set of men he ever saw in office to carry those measures which they believed to be for the benefit of the country. With respect to the benefit to be derived from interfering with the pastors of the people, that was a point equally difficult to abstain from or to handle; but he hoped that the law would be made sufficient even to cope with them. He believed that some of them had already been guilty of illegal acts. If the accounts which he had seen were not greatly exaggerated, those accounts would make the parties answerable to criminal law even as it now stood. But if the law could not reach them, or if the execution of the law, in the peculiar state of society at present, was found to be surrounded with insurmountable difficulties, then the new law which Government asked for must be made so stringent as to reach them without doubt or uncertainty; and he was sure that no real friend of Ireland could feel otherwise than the greatest anxiety that all great criminals should be brought to justice.

The Earl of RODEN said, that, eloquent as was the speech, and true as was the detail of the state of Ireland, which they had heard from the noble Lord behind him (Lord Stanley), yet they would give him leave to say, that no detail, and perhaps no statement of truth, could come up to the real circumstances of the case as they were now felt and experienced by the resident gentry of that country. It was his lot not to live in those parts of Ireland where those outrages were committed, but still he was in constant communication with near and dear and venerable friends, who were scattered over those districts, and he could not but feel the deepest sensibility for their fate. It was because he felt that no gentleman residing in those districts was at rest in his house that night that he thought he was performing an act of duty to their Lordships in asking permission for a few moments to enter for a short time into the circumstances of the case. The outrages were committed in the counties of Tipperary, Limerick, Roscommon, and others which he could name; and they were based upon this principle, that a list was made out—a list the names of which were well known—of individuals to be assassinated by persons hired for the purpose. He said that these names of persons so marked out for assassination were well known, and some of them were persons very dear to him. It had been suggested to some of those persons, who held high stations in Ireland, that on account of their names being placed on that list, of which Major Mahon was at the head, that they should at once leave the country, for that there was no hope of any circumstances arising which could possibly delay the execution of these diabolical deeds. What was the answer of one of them? He (Lord Roden) would not name him; but if he did their Lordships would

recognise him at once holding a high situation in Ireland. His answer was—Come life or come death, nothing should move him from his position. In looking at the distressing circumstances in which the country was placed, he trusted their Lordships would bear in mind what was the cause of its present position, or at least one of its causes. He maintained that it had been the course taken by a base press in writing every day calumnies of the grossest kind, not against individuals, but against the class of resident landholders in Ireland, who were held up to reprobation, as only fitted to be swept away from the face of the earth, instead of being, as they were, as honest, as determined, and as high-minded individuals as ever existed on the face of the earth. He could not say that there were no exceptions—he would not say that there were no bad landlords —where was the country where there were none? but he spoke of them as a class, for as a class they were referred to. This system was not carried on by the press alone, but even at public meetings, where the real circumstances could not be referred to, they were branded as tyrants and oppressors. These calumnies had been answered in the most effective manner by the anxious discharge of their duties in the support and relief of the poor around them. But even now their Lordships saw that these calumnies were still carried on. What measures might be necessary to repress the present outrages it was not for him to say. Certainly the first step ought to be the disarmament of the people. Could anything be conceived more preposterous than to see labouring men come to their work with firelocks and pistols in their hands, and as you went through the country to meet hundreds of armed men along the public roads? Therefore the first act which Government ought to do should be by some means to take these arms from individuals. But that was not enough. The common law of the land had been proved to be inadequate to meet the difficulty. The experience of every man testified this, that a state of open rebellion would not be half so dangerous as the present state of things. An open foe you could meet—an open foe you could fight—an open foe you could be prepared for; but no man could provide against the present system, where, as you travelled along the road, you were liable to be shot from behind a wall in the open day. He called upon their Lordships, therefore, to give security to the innocent, and to enable them to find that the British constitution was their safety and security, and not the instrument which exposed them to danger. He hoped Her Majesty's Government were in earnest in their measures—that they would not be afraid of this man or of that man—that they would act in a straightforward manner—that they would remember that the inhabitants of Ireland had a right to protection by the same law which demanded their allegiance—and that their lives were not to be exposed merely because it was their misfortune to live in that portion of the empire. In conclusion, he could not help congratulating the House and the country, and noble Lords opposite, on this fact, that whatever measures Her Majesty's Ministers might propose, they might depend upon their being carried into effect by the individual who was now representing Her Majesty in Ireland. He believed Lord Clarendon was a man who, during the short time he had been in Ireland, had procured for himself the attachment of all classes there. He hoped that the Government on this side the water would do their duty; he was sure the noble Lord would do his; but it depended upon them to give him that power, without which all his efforts, and determination, and energy, would be of no avail.

Earl FITZWILLIAM said, that he would entirely pass over one of the questions which had been introduced in this debate, for the purpose of meeting some of the observations made by the noble Earl who had just sat down, with respect to the landed proprietors of Ireland, who were represented in the last Session of Parliament as a class of persons who should be swept from the face of the earth. He thought that some repentance ought to be now exhibited by the persons who had so characterised them. With respect to the Speech which they had that day heard read, he thought that it did not touch sufficiently on the distress which prevailed in the different parts of Ireland; and the whole course of the debate had, in consequence, turned on the amount of crime alone, while the distresses of the people were altogether passed over. He would ask any noble Lord who had resided in Ireland within the last twelve months—he should like to know from any Member of Her Majesty's Ministry—whether any calculation had been made respecting the number of persons in that country for whom it would be absolutely necessary to

import food in the course of the coming year? In any calculation that he had made, he could not conceive the possibility of less than two millions of persons in Ireland being utterly dependent on imported food—food not to be supplied to the people, according to the rules of trade, but to be freely and absolutely found them. He would venture to suggest to the noble Earl beside him (Earl Grey), whether there were not parts of the country to which the rules of trade could not apply? Whether there were not parts of Ireland which, if corn were not freely imported, would not necessarily be unprovided for? Her Majesty's Speech expressed a hope that much distress might be avoided through the medium of the poor law. In some parts of Ireland this law would be found valueless. Her Majesty trusted that the distress would be materially relieved by the exertions which had been made to carry into effect the law of last Session for the support of the destitute poor. Now, he had already said that this law would be unable to provide food for numbers of the destitute poor if this food were not "found" for them. He did not consider his estimate of 2,000,000 of persons who would require relief in the next year overdrawn. He believed that the land at present under potato culture was only one-fifth of that appropriated to this crop in ordinary times. Supposing, then, that 7,000,000 of persons, who in ordinary times lived exclusively on potatoes, had now only one-fifth of the land under cultivation, it would of course follow that in an equal proportion to the ground cultivated would be the distress in Ireland; in other words, that only one-fifth of 7,000,000 of people, or 1,400,000, would have sufficient food; and that 5,600,000, or supposing that number lessened by disease and death, that 5,000,000 would be without it. He knew that it might be said that the potato might be supplied by other food of a different description; but their Lordships might perhaps be aware that there was no species of food which, according to the most favourable calculations, would give the same amount of sustenance per acre as the potato. Now he did not think, that however much they might condemn the crimes of individuals, they should allow no pity for their sufferings; and he hoped the Government would take into consideration the fact, that in the parts of Ireland to which he had referred, the poor-law would afford no relief. If no other plan than this should be adopted, he was utterly at a loss to comprehend how the people in these districts were to exist at all. The Government had parcelled out Ireland into 130 unions; but he (Earl Fitzwilliam) would consider it as only one; and if the community, in a season of scarcity, was unable to provide its members with sustenance, he held that the duty then devolved upon the Government. He begged the noble Lord near him not to imagine that the poor-law had rid him of Ireland, or that that country would not again be a burden upon England, or rather upon the empire. He assured him that such she would still continue to be, unless some means very different from any yet adopted were taken to enable Ireland to raise herself from the leaden slumber in which she had for so many years been bound.

Earl GREY said, that he would detain the House for a very short time, as he only wished to say a few words in answer to the noble Lord who had last addressed their Lordships. That noble Lord had stated that no noble Lord who had preceded him in the debate, had alluded to the distresses of Ireland, but had dwelt almost exclusively upon the crimes committed in the country. He (Earl Grey) regretted that his noble Friend had not adopted the same course—he deeply regretted that he had not exercised the same abstinence, and avoided altogether any reference to this topic. He regretted that he had not done so, because in the present state of the country, and comparing the present with the past year, he did not think it his duty to encourage any hope in the people of Ireland that they might look in the time coming for relief frem the general fund of the empire. It was necessary under the pressure of a great calamity last year to grant what he might term an almost profuse relief; but it should be remembered, that, under the circumstances, it was absolutely necessary to do so in order to avert fearful calamities which would otherwise have occurred. This relief had been in some degree attended with unhappy consequences. It was impossible for them to conceal from themselves that the granting of relief, even in the circumstances of that period, in those pressing circumstances—it was impossible to conceal from themselves that it had been attended with a serious amount of evil. It had the evil of tending to foster in the minds of the people of Ireland a dependence upon others than themselves. It had also been attended with great evil in

this country, for it had increased the want of capital under which the commerce of the country had so recently laboured; and under these circumstances he did not think that at the present moment, and in the present state of the country, it was expedient to use language which might lead to a hope that Government assistance would be afforded, or that they might look to that House rather than to themselves in any future emergency. No doubt peculiar cases might arise in which sustenance might hereafter be given; and there could be no doubt that where the case demanded it, such sustenance would be afforded; but he was happy to inform the noble Lord that there still remained a certain quantity of corn and other provisions in the country, which was under the control of the Government; and his noble Friend would perhaps be aware also that the British Association still possessed considerable funds, which would be applicable to the relief of extreme cases. He could only, therefore, express his sincere and earnest hope that these means would be found amply sufficient to meet the difficulties in the districts to which the noble Lord had referred. He could not conceive of any greater hardship than that of being compelled to open the public purse for the purpose of relieving destitution in that country. He would not go further into this question at this time; but he would merely say one word with respect to what had fallen from his noble Friend opposite (Lord Ashburton) relative to the Bank Charter Act. His noble Friend at the head of the Council, who had shortly before left the House, had requested him to supply an omission which he had made, which was, that it was the intention of the Government to institute an inquiry into the causes of the recent commercial distress, more particularly with a view of ascertaining how far that distress was to be attributed to the law relating to the issue of notes payable on demand. His right hon. Friend the Chancellor of the Exchequer had given notice that evening, in the other House, of a Motion for the appointment of the Committee on this subject. He would not, in the present state of the House, trouble their Lordships with any further observations.

In answer to questions from LORD REDESDALE,

EARL GREY said, that all Bills at the present period of the Session would necessarily originate with the other House of Parliament, and it was not the intention of the Government to move the appointment of the Committee to consider the Bank Charter Act in their Lordships' House.

Address agreed to.

House adjourned.

HOUSE OF COMMONS,

Tuesday, November 23, 1847.

MINUTES.] PUBLIC BILLS. 1° Outlawries.

ADDRESS IN ANSWER TO THE SPEECH.

A Message being received to attend the Lords Commissioners, the House went; and being returned,

MR. SPEAKER reported the Lords Commissioners' Speech, and read it to the House: then

MR. HEYWOOD said, that in rising to propose that an humble Address be presented to Her Majesty, conveying the thanks of that House for the gracious communication from the Throne, he must, in the first instance, request that indulgence for himself which had usually been accorded to new Members of that House. This was the more needed in his case, because unfortunately it was out of his power to congratulate the House upon the prosperity of the country. The commercial towns of this country had, he deeply regretted to say, for some time past been afflicted by an extreme depression. The majority of the mills in the manufacturing districts of Lancashire were working short time, and a considerable number were stopped altogether. It might probably be found that much of this state of things was owing to undue speculation in railways—a time which would most likely be characterised as the iron age of England. He found that the amount of loans authorised and shares created under Acts of Parliament for railways in Great Britain and her colonies, was no less than 299,147,000*l*. Of this amount there was already paid on shares 120,640,000*l*., and on loans 40,409,000*l*.; making 161,049,000*l*., leaving outstanding engagements for 130,098,000*l*., as further money to be applied for railways. This enormous sum, abstracted from the ordinary course of trade, was of itself enough to create difficulty and embarrassment; but when it was associated with the deficient harvest of the last year, and the failure of the potato crop—circumstances which caused a great diminution in the demand from foreign

countries for British manufactures — it would be admitted that much of the poverty thus created must add to the depression of the manufacturing interest. As far as the town of Manchester was concerned, he would inform the House that the demand for the weekly consumption of cotton had greatly decreased in the present year. The following was a comparative statement of the last three years:—In 1845 the weekly consumption was 30,000 bales; in 1846, 31,000 bales; and in 1847, 20,000 bales; being a diminution from the amount consumed in 1846 of no fewer than 11,000 bales. Besides this decrease in the consumption of cotton, he regretted to say there had been over-speculation in Calcutta. Great East India and other houses had largely speculated in corn. The result of these vast speculations in different parts of the world had been a great depression of trade, and the unexampled scarcity of money. This state of things had continued for some time, till at last such a point of difficulty was reached, that there was a panic throughout the commercial world. Money could not be found to discount unexceptionable bills; and even now it was quite certain that some time must elapse before confidence could be perfectly restored. During the period of the greatest pressure, he viewed with satisfaction the determination of the noble Lord at the head of Her Majesty's Government and the right hon. Gentleman the Chancellor of the Exchequer, to recommend to the Directors of the Bank of England to enlarge their discounts; and he could only assure the House of his conviction that if, at that critical period, this or some other similar course had not been adopted, a much more serious derangement of commercial interests would inevitably have followed. He, therefore, congratulated the noble Lord upon the result of his letter of the 25th October, because, through its instrumentality, the panic had been allayed, and merchants found that they could obtain money on good bills. Confidence had consequently been restored in a certain degree, and he felt reason to hope that it would continue. The alarm and confusion which had prevailed in some of the manufacturing districts might be illustrated by the fact, that, during the emergency, the manager of the Branch Bank of England at Newcastle had, with great good sense and liberality, taken upon himself to advance money to the Newcastle Bank upon proper securities. He had, however, to send to Leeds by the electric telegraph for further supplies, which were forthcoming by the express train the same day in sufficient amount to meet the demand in Newcastle. This circumstance, showing, as it did, the prevalent feeling of alarm, fully justified the noble Lord in the course he had adopted. Notwithstanding the permission given by the Government, there had happily arisen no necessity for infringing the provisions of the Bank Charter Act; confidence was now much restored, and yesterday the Bank of England had been enabled to reduce its discounts to 7 per cent; and in a short time it would, in all probability, be at perfect liberty to resume its wonted arrangements as in the ordinary course of business. The unhappy state of Ireland was alluded to in Her Majesty's most gracious Speech. It was one which must bespeak the deep attention of the House. Every hon. Member must agree with him that the atrocious crimes now prevailing in Ireland must, by some means or other, be put an end to; and he had no doubt that a thorough investigation would be made of the measures intended to be brought forward to enable Her Majesty's Ministers and the law to produce a cessation of crime. He considered that to the famine from which the people of Ireland had suffered, and to the long series of years of misgovernment they had undergone, much of the present condition of that country was owing. Remedial measures were required. He was happy to see in the Royal Speech an allusion to the measures intended to be brought forward for the improvement of the social condition of the Irish people; and that the Lord Lieutenant had been commended for the course he had pursued. The Lord Lieutenant, with great judgment, had directed the attention of the agriculturists of Ireland to the advantages of improving their crops; and he had wisely recommended them in future to instruct their workmen in the best means of improving cultivation. These recommendations had been attended with some effect; for he had reason to believe that, with regard to green crops especially, Ireland was already greatly improving her cultivation, and that further improvements would be adopted. The foreign relations of this country had been wisely administered by the noble Lord; and Her Majesty assured the House that She looked with confidence to the maintenance of peace with all foreign countries. The House would rejoice

the late abundant harvest had only mitigated the evils consequent on the want of employment in the manufacturing districts, he begged to express his trust that that House and the other branch of the Legislature would originate such measures as in future years of abundant harvests might insure to the working men the means of more prosperous and consecutive employment. There was another point which it was necessary for him to advert to, not only because the matter was connected with the great commercial interests of the country, but also because it had become, to a certain extent, a national feeling. He alluded to the navigation laws, which had taken their station as one of the Palladia of the State. He was glad that this subject was to be submitted to an examination, though he was not one who thought that examination necessarily implied abandonment; and he trusted, that in the inquiry to which those laws might be subject, no prejudication would be allowed to bias the judgment of the House. A prejudication of abolition would be as absurd as a prejudication of conservation—nay, perhaps, more so; for in conservation we knew what we possessed, but in abolition we did not know what we might obtain. ["Hear, hear!"] He was glad to hear that assent from hon. Members opposite, which he took as a proof that they would submit to a full and fair inquiry on the question. With regard to the suffering which pressed so heavily upon our commercial, and, through our commercial, upon our industrious classes, it might be well for us, as an empire, that our pride should be abated for a moment. ["Hear, hear!"] Chastisement, for a moment, would be found useful. If, in this chastisement, he could bring himself to think that the mighty efforts of this empire could be really discouraged by any blow to our commerce, however severe, he might lament that such had occurred; but knowing the indomitable energies of the British people, and how they strove against what might overpower the energies of any other nation, it might be as well that they were called on from time to time to consider whether their course had been in accordance with such principles as ought on all occasions to guide it. It would afford that House, he was sure, in the sincerity of its feeling, unmixed gratification to learn that another link had been stricken from the chain which bound the limbs of the slave. He conceived there could be but one opinion on the advantage, both morally and physically, which must result from the establishment of a treaty with the republic of the Equator. As his hon. Friend had told them, under the former arrangement a kind of chicanery had been carried on, which whilst England asserted her great privilege of being the friend of the slave, must have interfered with her exertions to a considerable extent, or have paralysed them altogether. At a time when they felt the greatest pride in the weight and importance which this country had obtained in the councils of the world, it was then, more especially, that they were called upon to interpose their friendly advice in the affairs of another State; much more so when that State by its constitution and political arrangements claimed kindred with our own, and when, unhappily, the internal condition of that State was such as to require the friendly advice of those interested in its welfare. It was a terrible thing to the friends of constitutional freedom to see it borne down by the step of the invader; it was terrible even when obscured by the smoke of a successful battle; but it was more terrible still when the blood of brethren was shed in a domestic quarrel upon their own soil. Speaking as an individual Member, he thought he might infer from the paragraph in the Speech which contained the assurance that the peace of Europe was likely to be preserved, that the better day which was dawning beyond the Alps would ere long shine upon new kingdoms, admitted into the confederacy of free peoples—he thought they might infer that the people would do honour to the Sovereign—that the Sovereign would aid to preserve their rights—and that they might be permitted to exercise within their own frontiers that which was the undoubted right of nations—the right of deciding what their municipal and constitutional government should be. With regard to the health of towns, that subject had received so much of the public attention, that it would be scarcely necessary for him to dwell upon it for an instant; and he was of opinion, that the least possible delay should be allowed to interpose between the announcement of the project and the carrying of it into complete execution. The project, however, was one of such magnitude, that it required the most careful consideration; and if it was necessary for them to take measures against present evils, he would also say, as his hon. Friend had al-

ready observed, that they must make preparation for another and a ghastlier visitor. They had too much reason to believe that cholera was already on its way: short time, at best, would be allowed to make such preparation as human laws could make; but short as the time might be, it would be lamentable indeed if those preparations should not be made. There was another point on which he did assure the House he should proceed to speak with a sense of oppression under the overpouring magnitude of the subject. In the Address which the House had had the honour of receiving from the Throne, allusion was made to the state of Ireland—to suffering, to endurance, and, alas! to crime. Whatever measures might be in preparation for Ireland, or whatever measures the progress of events in that country might call forth, this at least they knew—that to render life desirable it must be made secure. The State had a right to demand an account of the blood of every one, of the highest as well as of the meanest of its subjects. When he thought of the scenes that had been enacted in Ireland lately, believing as he did (and he took that early opportunity of expressing that belief), what a great, what a noble, and what an easily guided people the Irish were, still when he heard of the murders and assassinations that were perpetrated there, his heart positively sickened. In the old disastrous times, from which he, for one, would never raise the veil, except to select an example for admiration, terrible as the outrages were which were committed, still Christian charity might hope from time to time to find some palliation, some excuse that might be urged on behalf of the wretched man who had committed crimes which were viewed with abhorrence by his fellow-subjects. When the distressed man was driven forth upon the world with no shelter where he could hide his head, though they could not excuse the deed, still, as he had said, Christian charity might, in its fullest exercise, endeavour to account for the offence. In those days, happily passed away, of unmitigated political rancour, the madness of politics might hurry a man into crime; but now, when the Legislature had decreed—wisely, justly, and humanely decreed—that for all destitution upon Irish soil, the Irish soil should find provision so long as it existed—when political enmity and religious strife had passed away—that now the gigantic figure of veiled murder should arise, was horrible and astounding. He believed that it was within the precincts, at all events within the analogies, of the law to check and repress crime; but he spoke as an individual Member again, and said that at all events life must be protected, and if they could not walk in the ways of the constitution, better the bayonet of the soldier than the ermine of the judge, rather than that crime should stalk abroad unreproved. But whilst they attempted to suppress crime, it was necessary at the same time to educate, to instruct, to improve, and to sharpen the moral apprehensions of the people. It would be for them in their legislation to set the moral guilt of their transgressions before these unhappy men, and to teach them that not only that one is criminal who fires the musket against his unhappy victim, but that there may be others criminal in a greater or a less degree—that there are shades of complicity in guilt—that not only the actual assassin is criminal, but that the district which neglects to apprehend the offender—that those who protect him, that those who knowingly aid him to escape from the law—are all accessories with him, and were act and part in the dreadful deed. They must show continually to the people of Ireland that there are duties as well as rights which belong to all classes—a lesson which was perhaps occasionally forgotten; they must tell them that the Government, so far as Government could, would abate that moral pestilence, and the physical outrage; and that it would stand forward to protect the meanest as well as the highest of its subjects against the suggestive denunciation and the assassin's blow. It was not his province to suggest what remedial measures might be submitted to the consideration of that House, neither was it his province to predict the reception which they might meet with at their hands; but this he knew, that, after the repression of crime, there must be a confidence engendered between man and man, for it was useless to attempt to conceal the fact that there was not at present that confidence between man and man which should exist. Confidence, like all noble things, was of slow growth; but he trusted, however, they were on their way towards the establishment of that confidence. Measures with that end in view were undoubtedly the best calculated to tranquillise the country; and then, every attempt should be made to

develop the great, the almost inexhaustible resources of that country. It was difficult for those who had not travelled in Ireland, as he had done, or who having travelled had not dwelt, or who having dwelt had not made themselves familiar with the condition of the peasantry and the physical circumstances of the country, to imagine how much her resources might be developed, and what a wide field existed for the exertions of the Legislature in spurring on the people to industry and energy. Whether those measures, or similar measures, would be brought forward or not, he could not say; but he thought he might be permitted to warn the House not to expect too rapid results from any remedial measures. It was not in one day that the Saxon serf expanded into the English yeoman—it was not in one day that the bated breath of submissive communes swelled into the patriotic notes now ringing beyond the Alps; so it might not be in one day, in years, or in generations, that Ireland could be regenerated; but though the goal was afar, the first step might be taken, and though it might fall to many successive Gentlemen to supply the places which they now occupied, yet at every meeting of the British Parliament he trusted they should hear of some ground gained, of some advantage to Ireland, some nearer approach of the establishment of that perfect confidence which was so necessary to the peace of both the islands. But let legislation do what it would, under the most happy circumstances legislation could do but little. It might, however, prepare the balance in which men might go voluntarily to adjust their differences. Legislation could draw around the residences of the wealthy and round the huts of the poor a wall of defence which should secure to them the profits of their industry. That was a duty which fell upon them as Members of the British Senate. A great and glorious duty it was! Other senates had decreed the extermination of a rival, the extension of their own empire, the annexation of another. Be it their proud task to draw into closer union with them a country which should be a rival only in constitutional progress. But the energies of this country would be in vain—in vain the powers of their legislation, unless they might look for assistance from all who possessed any power and influence in Ireland. He called upon the 5,000 men who taught deeds of Christianity in Ireland, he called upon the 3,000 magistrates who in the different districts administered her laws, and he called upon the people of Ireland to contribute to the improvement of their country by seconding the efforts of Parliament. And he would remind them that the English people had an abhorrence of crime, and despised sloth; that they abhorred him who defaced the image of his Maker, and despised him who did not turn to profit the talent committed to his charge; but he would remind them, also, that for the peaceful and industrious there was no sacrifice, no exertion, no degree of patience which the English people would not be ready to undergo. He should also call, in the course of their deliberations, upon the many Gentlemen in that House who made the condition of Ireland the subject of their daily, their hourly, their unceasing consideration, for their assistance. He doubted not they would contribute the result of their experience freely and ungrudgingly; and he dared promise himself that the subject would be discussed with that fairness and that propriety which its magnitude and importance pre-eminently demanded. In the belief that the objects he had ventured to dwell upon were attainable in the exercise of a large, a generous, a comprehensive, and an intelligible policy; and believing that such would be the policy adopted by that House, he now begged leave to second the Address.

The Address read by MR. SPEAKER.

MR. H. GRATTAN said, it was with great regret that he felt himself compelled upon that occasion to address the House. He had thought the crisis which had occurred in Ireland would have been avoided. He should now confine himself to a few words; and he could assure the House that it was nothing but an intense sense of public duty actuating him, equally with other hon. Members from the sister kingdom, which made him present himself upon that occasion. He had heard some portions of Her Majesty's Speech with great satisfaction, and others with great regret. He was sorry to say also, that some of the sentiments which had fallen from the hon. Seconder were not in accordance with his own, for he thought there were other means of probing the wounds of Ireland than by the bayonet of the soldier. He was a supporter, and a cordial supporter of the noble Lord at the head of the Government, and he heartily wished that that noble Lord could devise some means for extricating his country from the difficulties

which surrounded her. He wished the hon. Mover and Seconder could have propounded some panacea for his unhappy country. For himself, as he did not think the bayonet of the soldier would cure her wounds, so neither did he think that an agricultural lecture was exactly the salve for Irish distress. They had now full time to discuss the question. England was at peace, her character stood in high estimation, and the new slave treaty, like the 20,000,000*l.*, had added new laurels to her brow. France submitted, and America would not interfere with us. The hon. Seconder had passed a very proper eulogium upon the Irish people, and did them no more than justice when he expressed a hope that the union between the two countries would be still further cemented. The union which the hon. Gentleman referred to, however, was not such a union as he desired. He did not think that a union by force was the best, or that a union of poverty and wealth was the best. He did not think they were secure, when every day they had to go to that House with petitions of distress. He should wish, as the hon. Member had spoken about unanimity and concord, that he could see a solid union—not a parchment union, but a union of the heart and the affections. He rejoiced to say that a former Amendment which he had moved with reference to the Catholics of Ireland had been carried. The present Amendment affected both Catholics and Protestants, and in a still greater degree demanded the attention of the House. He reprobated as much as any man the horrible crimes and murders which had disgraced his country; but let not the House imagine that Irishmen were willing to submit to the charge of coming there as beggars, or of having their countrymen stigmatised as murderers. They were neither the one nor the other, though Providence had afflicted them. With regard to the Irish poor-law, on which Ministers congratulated themselves, let him remind the House that the Lord Lieutenant of Ireland had lately said three things—first, that the poor-law had not succeeded; secondly, that it had not been carried into effect; and, lastly, that he trusted the House would carry into immediate effect measures of relief. Now, what were those remedial measures? Was the Landlord and Tenants Bill one? Was that a Bill which could be called an efficient remedial measure? It was not; it would cause a social compact in Ireland. The landlord and tenant question was not a social one. But here he must be allowed not to omit, on the part of the people of Ireland, to return thanks to thousands in this country who had not only felt for the distress of Ireland, but relieved it. He had the honour of belonging to the Central Relief Committee, and he knew them well; they had earned for themselves the heartfelt gratitude of the Irish people; and, though their names were not known, they were looked up to with honour, or, at least, whenever they were known, they would be. In many cases their signatures were anonymous; but the Irish people returned them thanks from the bottom of their hearts now, and he trusted that those persons would have that reward which belonged to humanity, to charity, to piety and religion hereafter. With respect to the distress in Ireland, he, with other Irish Members, was not of opinion that sufficient had been done. He was not of opinion that the poor-law would relieve the great mass of misery in Ireland. He wished Her Majesty's Ministers to adopt some means of immediate relief; for the Secretary of Ireland ought to be aware that the poor-law had utterly failed, the boards of guardians in numerous cases having declared their inability to carry it out. Did hon. Gentlemen know that the property of Ireland was in a great degree gone? Did they know how gentlemen were situated there? A noble Lord had stated to him that he had rents due to the amount of 22,000*l.*, that he had 200 policemen and bailiffs out to collect that money, and that all they obtained was 200*l.* Another noble Lord had been compelled to part with his carriages and horses; and a third, who had an estate in Tipperary, had a rental of 7,000*l.* a year—6,000*l.* he paid for interest in this country, and he had to live upon the other 1,000*l.* a year, which he could not collect. That would give English Gentlemen some idea of what an Irish rental was. No doubt the distress of the people had been in some degree relieved by the exuberant harvest; but collectors, creditors, and landlords, swept away almost everything; in one parish every single article of food was under distraint, and in another every tenant had been served with an ejectment. It was only fair to ask what were men to do? would not this account for, in some degree, though he (Mr. Grattan) would never palliate, acts of violence? He held in his hand copies of five hundred letters from Roman

Catholic clergymen, in answer to letters sent them by the relief committee of this country, stating the numbers of persons in distress in each of those parishes, the length of time which the distress had lasted, the means which had been adopted to remove its pressure, and the number that had died from famine. His right hon. Friend the Secretary for Ireland had received 175 of those letters, and he (Mr. Grattan) had 330. It appeared from that statement, that 244 parishes had food for nine months, six for eight months, one for seven months, four for six months, twenty-one for five months, fifty for four months, eighty for three months, thirty for two months, thirteen for one month, and in twenty-five parishes where there was food for not more than four weeks, the population exceeded 160,000 souls. He asked whether the poor-law could be carried out in Mayo? In Clare, an attempt was made to seize for rates; but the only instrument the bailiffs could get was an old Irish bagpipe, and with that the army marched off to pay the poor-rates. The fact was, they went there into a perfect vacuum; there was no food, the land was uncultivated, and the houses were deserted—there was a mass of misery almost inexplicable. When his right hon. Friend prepared that part of the Queen's Speech, he thought he would have done well if he had consulted some Irish gentleman, because it was a great cause of complaint that an army of persons had been sent over to Ireland who knew nothing of their situation and condition. The right hon. Baronet was quite right last Session when he said, "You have an army of 10,000 people in Ireland—dismiss them." If the noble Lord were going to continue to work with the same materials, he would fall far short of the remedy required, and he would not be able to give the relief he anticipated. They had left the roads impassable, so much so that the Under Secretary nearly lost his life in one of the ruts left by his noble army. He trusted his right hon. Friend would obtain possession of the 515 letters he had referred to, and submit them to Ministers. What a picture of unparalleled distress they presented! In five counties 34,850 persons had died of starvation; in six others 37,000 had so died; in other nine 5,454 persons; in ten (and this was in the north of Ireland), 6,111 had died; in all he believed that not less than 115,929 persons had died of starvation. He knew well that meal had been sent to these places; but then it had been sold at such a price that the people could not buy it, and died accordingly. Now Mr. Pitt did not proceed in this manner in 1800. He said, "We must keep the people alive, and therefore we will let no corn go out." But what was the course taken this year and the last? Why they were actually carrying out more corn than they did before. Corn was going out at 10*s.* a barrel, while they were obliged to buy it at 20*s.* a barrel; and Indian corn, which could have been bought at 9*l.* a ton, they were afterwards obliged to give 20*l.* a ton for. The right hon. Baronet in 1845 suggested the propriety of adopting a measure on the subject *quoad* the three kingdoms. The principle was admitted, but it was said it could not be applied to the then state of Ireland. Now he asserted the best method was not to go to foreign markets, and buy food dear, but to keep to the home market where they could buy cheap. What remedy was applied to all this? The poor-law. But were they aware of what they were paying for levying the poor-rate? Did they know that, in fact, it could not be collected—that 15, 20, and even 25 per cent had been offered for collecting it, and had been refused? He would now turn to another subject—the absentees. He held in his hand a paper issued by that excellent body of men—the Society of Friends, whose memory would long be cherished in Ireland, for their kindness, humanity, and Christianity. Ireland would never forget the steady, silent course of these humane and Christian men—Christian in heart and not in lip only—who administered relief wherever it could avail the sufferer, and poured consolation into the dying ear where they could not ward off the fatal stroke. Might they be blest in time and in eternity! These excellent individuals had published a statement of their visit to Ireland, and of what they saw there. Amongst other things they stated that, in one district of the county of Mayo, there were sixty-five absentee landlords, without, for the most part, resident agents; and that from these they had received no subscriptions. They mentioned other districts in which the landlords did nothing to relieve their tenantry; others, with a population of 40,000, in which the landlords were all absentees; and they stated also the names of 145 parishes in Ireland in which there was not a single resident proprietor. Now what was to be done in such a case? Why, he should send them back again. Do as Cromwell did in a similar

case; send these landlords home to discharge their duties. He spoke as a victim. He was at that moment paying in Wicklow for the support of individuals who came from Skibbereen and other places, because those places had no resident landlords. What was the case with Donegal? He was not afraid to mention names, and he would ask, therefore, why did not Lord Palmerton go back and live there? He had heard it said in that House, "Sell up the Irish landlords." He had no objection. Let them sell up amongst others the noble Lord. There was Lord Lansdowne, too, why did not he go and reside in Ireland? He knew that noble Lord's estate well. He was an excellent individual, and he did not say that his agent was not a worthy man; but he would ask, what was the use of his building houses which people could not occupy? Why he was even building two-storied houses for cattle, but the cattle could not go up to the second story. Hon. Members laughed at Irish bulls, but Irishmen laughed at English farm-houses. Why in the county he represented, the greater part of the landlords were absentees. The fact was, the English settlement in Ireland had failed; and he maintained their ancestors had no right to go to that country and take property, the proceeds of which their descendants now ran away with and spent in other countries. He had no objection to Englishmen for neighbours; and he said if those who had property in Ireland would stay there and do their duty, they might live there happily and without fear of assassination. He said, that if a steady, respectable body of resident proprietors and occupiers would associate themselves together for the purpose, they might set these assassins at defiance. He thought the Lord Lieutenant should go out with his staff and a drummer, and call out the indolent and timid gentry of the disturbed districts, and say to them —"Let me see you doing your duty tomorrow with ten or twenty retainers each, and I will relieve you at night, and thus we will keep the country quiet between us." He was satisfied this would succeed now, as it succeeded when it was tried by Lord Donoughmore. The hon. Gentleman talked of bayonets. He had no objection to them when necessary—perhaps he had carried one—but why call for such costly assistance when they had already a constabulary force of 9,000 in Ireland? Why were these men not employed to keep down these outrages? Why, two-thirds of them were the sons of small farmers in Ireland, and miscreants who had no interest but to agitate the country. Why not take these men from the peaceable districts, where they were a useless expense, and send them to those districts where they were wanted, instead of burdening the country with additional soldiers? It was true that atrocious outrages had been committed in Ireland, but then they were confined to six counties. He maintained that the process of ejectment was the originating cause of these outrages. He had seen families turned out on the road-side, and children crying in the ditches for shelter and for food: he had seen a state of things that was a disgrace to a Christian country obtain in Ireland. He also remembered the generous sentiments expressed by English gentlemen and the English press on the subject of what was called in his country "the general clearance system;" but still hundreds of families were weekly turned out on the world without a home and without a morsel. Hon. Gentlemen might talk of carrying out the law; but there was one law which could not under any circumstances be carried out fairly in Ireland—he meant the law of ejectment. By that law the landlord was empowered to seize and take possession; but if at the time he made his levy, the sick wife or mother of the tenant was put out on the world, was it surprising that the incendiary should be at hand, and that the outgoing of one and the incoming of the other should be illuminated with incendiary fires? How, in such circumstances, could the people so thrust out feel anything but the most deadly sentiment of revenge? He was not afraid to name names in the matter: what was the cause of Major Mahon being shot? He was a most excellent individual, it was stated, and he had freighted two ships in which he sent out those tenants he had cleared from his estates, to America. But one of these ships was unfortunately lost, and the survivors having some of them returned and told their sad story, nothing could persuade the people that emigration was not a plot against their lives. Added to this, it was stated that Major Mahon said he would make a sheepwalk of Strokestown. Within a fortnight afterwards he was shot. There was the case of another individual, who was said to have brought several ejectments against a great number of his tenantry, and who, in making his will, devised his estate to the next heir, only on condi-

tion of his turning out those poor people; and in case he should not do so the estate was to pass to the next of kin, on the same condition; and he failing in the condition it was to pass to a third party, in default of whose obedience it was to revert to the Board of Public Works. These being the facts, he thought that allowances should be made for the feelings of those unfortunate people who were the victims of such a state of things. He thanked God that these sentiments were not entertained by several landlords; but that they were acted on by some was quite sufficient. For these reasons he and those with whom he acted, found fault with the Address as well as with the Speech from the Throne, of which it was the echo. Neither proposed any specific remedy for a state of things which was acknowledged on all hands to require remedy. He did not see how they—nor indeed how the House—could go so far as to agree with Her Majesty's Ministers, in their application for extraordinary powers for Ireland, when the disease which required to be cured existed only in six counties. Individuals employed by others generally stated what was most agreeable to the parties who employed them; and therefore he assumed that the answer of the Lord Lieutenant of Ireland to the recent memorial of the Catholic prelates of that kingdom was most satisfactory to the Government. Those venerable men had made themselves acquainted with the whole case of Ireland, and in accordance with their views of duty they waited upon the noble Lord the Viceroy of that country. In his reply to that address, the Lord Lieutenant suggested a specific measure for the relief of the distress which prevailed; and it was that he blamed Her Majesty's Government for not adopting; because if they had done so, it would have saved him the painful task of performing what he deemed an imperative duty—namely, proposing an Amendment to the Address. The Lord Lieutenant, in his reply to the statement of the prelates, said—

"If ever nation at any time was imperatively called upon by circumstances for united exertion, it is Ireland at the present moment; hardly emerged from a calamity which has no parallel in the annals of history, we are about to enter upon another crisis of appalling magnitude, which finds us unprepared and weakened by division. If ever there was a time when selfish feelings and party strife should be replaced by Christian charity, it is now, in the presence of a great and common danger. There is no man upon whom some duty does not devolve; and if those classes possessing influence in their respective spheres will meet together, and recognise the absolute necessity of those duties being performed, and will to each apportion his share of the burden, the difficulties of all will be diminished to an extent which now appears impossible; and if the exhortations of religion, never in vain addressed to the Irish people, be heard in behalf of order, and self-sacrifice, and resignation, then we may humbly hope that the blessing of the Almighty will attend efforts so made to meet the calamity which, for purposes to us inscrutable, has been permitted to fall on this country."

Mr. Trevelyan and Sir J. Burgoyne had also borne testimony to the distress of Ireland, in two letters which they had, with no particular courtesy towards his country, addressed to a public journal, the *Times*, in this country. The noble Lord then said—

"I am, however, painfully alive to the fact that in many districts there exists dreadful misery, which no amount of local exertion can relieve; and there the sacred and paramount duty of Government—the preservation of human life—will be performed. The Legislature has placed a large sum, under favourable conditions, at the disposal of the landowners, and I know that this will afford much employment to the poor in work really reproductive; and I trust that Parliament will see fit to sanction a measure which, while strictly guarding the rights of property, shall at the same time place the relations between the landlord and tenant upon a footing more sound and satisfactory than at present."

That was a very different version of the state of Ireland from the version just given in the Royal Speech. The Lord Lieutenant pledged the Government, by this reply, to the preservation of human life, and also pledged them to the adoption of a measure placing the relations of landlord and tenant in Ireland on a more satisfactory footing. That was what the Government should have brought forward in the Speech—that was what the noble Lord at the head of the Government should have boldly and manfully stated—that was one of the remedial measures that should be applied to Ireland for the purpose of settling the *vexata questio* involved in it. He now asked the noble Lord was it his intention to do so? He paused for a reply; but he saw no symptoms of one. Why would he not adopt the Bill of the hon. Member for Rochdale; or why would he not accede to the resolutions of the hon. Member for Northamptonshire on the subject? English landlords did not wantonly turn out their tenants—there was mutual confidence in general, and the law was rarely resorted to; but it was, unhappily, far different in Ireland, where, as the Earl of Clarendon said, the penal spirit of the law was that still in operation. In Ireland the letter of

the bond was required, because there was no confidence, and because the landlord's successor or his executors might not see fit to sanction the arrangements he might have entered into previous to his death, or carry out his wishes. When hon. Gentlemen talked of agrarian outrages in Ireland, they should talk also of the causes which led to them; they should talk of the inducements to crime, as well as of the crime itself, for the purpose of preventing the one by removing the other. That done, there would be but strict justice in punishing the midnight assassins, who brought disgrace upon their country; that done, there would no longer exist any sympathy for the criminals. The condition of Ireland was full of grievances. The country felt the absence of its nobility; it felt the want of local legislation. He was not the apologist of public men; but there could be no doubt of the sincerity of the hon. Gentleman who first mooted the question of repeal, any more than there could be of the desire of the people for a domestic Legislature. They felt they would be much better united if they had a body of noblemen and gentlemen resident in the country to attend to their local legislation. How long was it, for instance, that the Irish Members in the English Parliament had to dance attendance in the last Session, waiting for the most important business of the Session, as far as it affected Ireland — namely, the Bill of the hon. Member for Rochdale? That Bill had been read a first time at the commencement of the Session, and yet it was not debated until towards the close. The people of Ireland wished to be united with England; but they held the opinion — an opinion grounded upon common sense—that no body of men living out of their country could govern them so well as they could govern themselves. England had received Ireland sound and free at the time of the Union. The country was not poor; it had manufactures; it had a Parliament of its own; and, above all, it had a resident gentry. All these were absorbed by England, or taken away, and in their stead was sent an army of 50,000 men to keep the country. England was at peace at present, and he hoped it would long be so; but he was greatly afraid that, in the event of a war, his country would be made the battle-field of the conflict of England with her enemies. He therefore implored of the Parliament to consider the effect of steam upon modern warfare, and in connexion with it the unwise policy of keeping 5,000,000 or 6,000,000 of the Irish people in a state of enmity to England, when they might easily be attached to her interests. There were now 9,000 police and 20,000 soldiers in that country; but such a state of things could not be maintained in the event of a war. Ireland had shown great forbearance in the persons of her representatives in the past Parliament. They were now, however, ready to take their stand for their country, and speak out in her defence. Mankind in future ages would never believe that, with 53,000,000*l.* of money annually in the English Exchequer, that country could not save the dying Irishman. He, and those with whom he acted, were quite ready to aid Her Majesty's Government in the application of the law to the disturbed counties; but they could not consent to its application to the whole country. In accordance with what he deemed an important duty, therefore, he should move as an Amendment that all the words of the Motion after "that" should be omitted, and that the following words should be substituted in their place:—

"That though the present Poor Law may materially alleviate the existing distress in some districts of Ireland, yet as it must be quite inadequate in others, it will be absolutely necessary to devise immediate measures to avert famine and pestilence from a large number of Her Majesty's subjects in that country."

MR. E. B. ROCHE seconded the Amendment. He did not mean to deny that the state of Ireland at present was most appalling. The state of crime was positively worse in the six counties which his hon. Friend had mentioned, than it had been described by the public press. The state of poverty and social disorganisation in Ireland was frightful to a degree. It was not a war of class against class—it was a disorganisation of society, and he thought it was an occasion of all others when Her Majesty's Ministers, and those who supported them, proposing and seconding the address to-day, ought to be prepared to recommend something beyond the vulgar expedient of "the bayonet." When he used that expression, he did not use it as implying anything personal, but as incumbent upon the Legislature of the country. He said, that this bayonet and this coercion was a vulgar expedient; worse than that, it was perfectly futile, because, look at your history for past centuries in this country and in Ireland—look at the manner in which you had governed Ire-

land—in every page of your history you would find coercion, the bayonet, martial law, and blood; yet now, in the middle of the nineteenth century, you had Ireland in a worse state, socially and physically, than it ever was for a period of many years; and therefore he said, speaking of it in a statesmanlike view, that this expedient of force, this expedient of the bayonet, was to all intents and purposes a vulgar expedient. He trusted the House would bear with him whilst he gave them the experience of a practical man on this question of Ireland. He traced the present unhappy state of Ireland, the immediate cause of the misery and crime, to causes which were deep. In the first place, he traced it to the universal poverty and distress which existed there; in the second place, to the unfortunate and untoward disputes whish occurred between landlord and tenant—the fatal question of the land; in the third place, to misgovernment in every shape and form as to the past, and misgovernment now, at the present moment, and most especially in the Executive of the country. It was unnecessary to waste much time in proving the poverty of Ireland—it was admitted on all hands Ireland was held out among the other nations of the world as the most miserable and most poverty-stricken country in the world; and he must say, that the proposal of the hon. Gentleman who seconded the Address, and all the course which he had chalked out of relieving the poverty in Ireland, by carrying out the poor-law, and the poor-law alone, would turn out to be a most fatal expedient. He did not mean to say that there were not many cases in Ireland in which the poor-law, as a poor-law, ought to be carried out fully and entirely; but he said, that the majority of cases at present in Ireland were such that the poor-law could not possibly meet but one. Take the case of the union of Skibbereen, which had become so unfortunately notorious. What were the facts in Skibbereen? The valuation of the whole of the union was 96,000*l.* The population in 1841 was 106,000. Supposing that 10,000 had since been carried off by the famine, 96,000 people had to be supported on 96,000*l.* a year, which was something less than 1*d.* a day for each man. How was it possible your poor-law could meet a case of that kind? That was a case in his own county. He could repeat a number of cases of the same kind in which the poor-law would completely break down; and therefore he said it was futile to depend on the poor-law to relieve the present distress of Ireland. Nobody had a greater horror of the crime which had been committed in Ireland than he had. There was no one who deplored it more, or thought it a more national disgrace; at the same time when he heard the people of Ireland represented as a mass of assassins and murderers, he was bound to say, as an honest man and an Irishman, that it was a foul and unfounded calumny. It would be dishonest and ungrateful in him if he were to sit quietly by and allow the people to be so designated. He believed he had come in contact with a greater number of the lower orders in Ireland than most persons. As an agriculturist he employed more people than most agriculturists in the United Kingdom—as a landlord, managing his own estate of 20,000 acres, he was constantly placed in a position to observe the people of Ireland—and as a landlord he had done everything which any landlord in this country might do. He had dispossessed tenants whenever he thought it necessary—he had encouraged extensive emigration—he had punished persons—he had been in the habit of doing all that since he was nineteen years old, and he had never been molested or interfered with in the discharge of his duties, and the exercise of his rights as a landlord. He had always tried to act fairly and justly by the people—it was possible that in some cases he might have acted unjustly towards them—and yet he had spent his life in Ireland, and had never been molested, nor did he require even a bolt for his protection. A charge was often made to the effect that there was something in the Celtic blood which proved injurious to the character of the people; but it did not appear that the people of Ireland were, in England or America, disposed to commit those crimes which took place in Ireland. Did they ever hear of the chairman of a Railway Board in England being shot by an Irishman? Not a bit of it. On the contrary, Irishmen were well conducted in other countries because they were treated with fairness and justice; and whilst he did not attribute the blame to the present landlords of Ireland, he would say that he believed that the crime which prevailed in Ireland was caused by a system of unfairness and injustice. With respect to the question of landlord and tenant, no one had spoken upon the subject who did not admit that the present system was unsound, and ought not to continue. He

would remark to the House that the question of landlord and tenant was one which was more vital to Ireland than to England; for in Ireland, if a poor man is thrown out of the possession of the land which he occupies, and thereby thrown out of employment, he must die. In England there were manufactures and means of industrial occupation, besides those immediately connected with land; but in Ireland, dispossessing a man of land was like a sentence of death upon him and upon every one connected with him. With respect to tenant-right, he had heard of cases which recently occurred, of farmers in England asking for tenant-right; and he would say, that, until in Ireland they gave a tenant-right by allowing a tenant to sell his occupancy in such a manner as to realise the value of his improvements upon the farm which he occupied, they could not expect content or satisfaction on the part of the tenants. It might be said that they ought to be prepared to put on paper a plan for the settlement of that question; but they never ought to be consenting parties to a Coercion Bill for Ireland until they first made good the promises which they had made to the people of Ireland, and removed the radical causes of the evils of Ireland, thereby doing their best to repress those evils. With regard to the question of the suppression of crime, he was one of those who did not believe that there was any reason to go beyond the present law in order to suppress crime in Ireland; but if they wished to suppress crime by means of the existing law, they ought to carry out that law efficiently; and he maintained that the Executive in Ireland were in a condition to carry out the law efficiently, if the proper exertions were made by them for that purpose. The whole system of conducting the trial of criminal offences at assizes was unsound; and nothing was more common than for a clever criminal lawyer to fight his way through an indictment, whilst in courts presided over by assistant barristers the case was different. At the assistant barristers' courts, where the more light and trivial offences were tried, and where the punishments were of course less, the exceptions were the acquittals; whereas the exceptions at the assizes were the convictions. That was a distinction which bore out his view that the present system of conducting criminal trials at assizes was unsound. It was the custom to say that the people of Ireland were opposed to the law, and that they would not pursue a man who had committed a crime; and in proof of that allegation, a case was recently mentioned in the *Times* where a man in the county of Tipperary was murdered, and the murderers passed unmolested through the garden of a man named Harding, although Harding was himself present; and the question was asked, why did not Harding arrest the murderers? How could he have done so when the murderers were armed? If five or six armed policemen were in the neighbourhood, and, instead of being on the spot, were polishing their muskets, how could it be expected that Harding was to arrest those armed men? Indeed, if the police came and asked Harding to assist them in arresting the murderers, and he refused to do so, he might well be blamed; but how could it be expected that he would engage with five or six well-armed fellows? Another subject of well-founded complaint on the part of the Irish people was, that scarcely any of the heads of the public departments in Ireland was an Irishman. The head of the army in Ireland was, it was true, an Irishman; but the head of the police was a Scotchman; and he believed that almost every department in that country was presided over by one who could not possibly understand the country, unless some of the Scotchmen possessed that gift of second-sight for which in former days they were so remarkable. The right hon. Member for Tamworth had no Irishmen in his Cabinet; and he (Mr. Roche) would say, that, constructing a Cabinet for Great Britain and Ireland without a single Irishman in it, was an insult to his country. There was one Englishman in the Cabinet of the noble Lord who now conducted the affairs of the country, and that Englishman was better than many Irishmen—he meant the nobleman who presided over the affairs of Ireland (the Earl of Clarendon)—a nobleman who would, he had no doubt, earn for himself the title "*ipsis Hibernis Hibernior.*" It was unpleasant and invidious to find fault with parties connected with the administration of the law; but he would nevertheless say, that the existing law would be found perfectly efficient in suppressing crime, if it was properly administered, and if justice was equally done between landlord and tenant—if justice were really done to the people, and if they were governed not by the crotchets of English ideas as to the administration of the poor-law, or under the supposition that they

agents, when those whose duty it was to enforce the law have failed in their duty. Allusion has been made to some places where the guardians have failed to carry the law into effect. The whole correspondence on the subject will shortly be laid before Parliament, and I will not now enter into a discussion upon it with the imperfect information which I possess; but I will only say that in my opinion the board in Dublin have been perfectly justified in the measures which they have taken in reference to those places. I feel, however, the fullest confidence that the law will be the means, in a majority of the unions, of meeting the distress which may be felt. I think there are about 130 unions in Ireland. I believe that in twenty-two of these unions we must expect, from the information which we have received, that external aid will be required to meet the exigencies of the people. But, Sir, does it therefore follow that we should pledge the House in terms to the adoption of immediate measures to avert famine and pestilence—which I presume means an immediate grant of money—without knowing what resources Ireland herself may have? Last year a large store of provisions was purchased by the Government; a portion of those provisions will still be applicable. The Government will not be wanting to meet any cases of emergency which may arise, and they have no fear of any immediate necessity for any interference on the part of this House, or for any interference at all on the part of the House, in the way of making further grants of money. I must, however, repeat that I do trust that by the exertions of the owners of landed property in Ireland, the people will be brought to rely on themselves, which is the only course which can place Ireland on the footing on which she ought permanently to stand. I will just read an extract from a letter which has been received from a gentleman at Bantry, addressed to a member of the Poor Law Commission:—

"I hope and trust that upon no account public works, as measures of relief, may be sanctioned; and I can assure you, with moderate assistance from the associations, we can get on well here. The landlords must, where they can, give employment; never had they a better opportunity to improve their properties if they only understood their position. And I am not inclined to do anything for a property that does not do what it can first. In principle, I assure you, it would be wrong, since of what use is assistance unless it gives permanent benefit? You have seen enough of temporary advances and measures, and what good are they? Why, this, that the party is worse off after every attempt, since proper machinery to disburse the funds cannot be found. No, the Government can assist, after every local exertion is made; but, believe me, they cannot do everything."

It is because I think that the spirit of this Amendment—though I do not impute that spirit either to the hon. Gentleman who moved, or the hon. Member who seconded it—implies that the Government is to do everything, that I oppose its introduction in the Address. I do not think that I need say anything more with regard to the Amendment itself; but I must say a few words with regard to the subject of crime in Ireland, which has been touched upon by the hon. Member for Cork. I do not now enter into that painful detail of crime which it will be my duty to lay before the House upon bringing in the Bill which, on the part of the Government, I have given notice of for an early day, for the better prevention of crime in certain parts of Ireland. I wish, however, to say, in answer to what fell from the hon. Member for Cork, that the description given in the newspapers is not to be taken as a description of the state of crime in the whole country, and that he was contending with an imaginary enemy when he supposed the contrary to be the case. The information which the Government have received, lead them to believe that in many parts of Ireland, life and property are as secure as in England. With regard to those remedial measures which the hon. Members for Meath and Cork have demanded before recourse was had to measures of coercion, I must say, I think that they have hardly done justice to Her Majesty's Speech, in saying that no such remedial measures had been held out. Her Majesty says—

"Her Majesty views with the deepest anxiety and interest the present condition of Ireland, and She recommends to the consideration of Parliament measures which, with due regard to the rights of property, may advance the social condition of the people, and tend to the permanent improvement of that part of the United Kingdom."

The hon. Member for Meath says, that he cannot discover in the Speech any allusion to the state of the relations between landlord and tenant in Ireland; but does the passage which I have just read, say, or not, that Parliament will do well to consider measures which, with due regard to the rights of property, may advance the social condition of the people of Ireland? I can assure the hon. Member that this question is one which has most deeply en-

gaged the attention of my noble Friend the Lord Lieutenant of Ireland, and of Her Majesty's Government, and that we do intend at a fitting period to submit a measure to Parliament on that subject. I do not say that this measure may not be without difficulties to encounter; but I can assure my hon. Friends, the Members for Meath and Cork, that the subject has engaged the most serious attention of Her Majesty's Government, and that Her Majesty's Speech has alluded to it. I do not wish now to anticipate the discussion which must take place with reference to the success which has attended the working of the poor-law—waiting as I do for accurate and authentic information before I enter upon it; but I hope that my hon. Friend will not persevere in pressing his Amendment, and that he will agree in the suggestion made by the hon. Member for West Surrey, and enable the House to carry an unanimous Address to the foot of the Throne. I trust that, entering as we do upon a new Parliament, we may anticipate that all measures which relate to the permanent improvement of Ireland, may be received by the House with an absence of party spirit, and that the general and prevailing feeling of the House will be to wish to see Ireland prosperous, and her happiness placed on a secure and permanent foundation.

Mr. JOHN O'CONNELL began by observing that the distress in Ireland was now becoming more urgent than ever; and from what he knew of the country, he could assure Her Majesty's Ministers that they would be grievously disappointed were they to trust to the operation of the poor-law, or to the mere distribution of those small remnants of stores which might be still left in the depôts, if their object was the preservation of human life. He could assure them that the destitution was more extreme than it had been this time twelve months. There might be in some districts food for a few weeks, in others, perhaps, food for some months; but there were many and large portions of the country in which the people were without food, and in which, at this moment, it was almost impossible to collect any rates. What hope was there, then, of the poor-law meeting the whole extent of the evil? Three millions of people had been receiving relief; and it would take the sum of at least seven millions sterling to provide for that amount of distress. Where was such a sum to come from? This country, rich as it was, had been alarmed when rates some years ago amounted to 7*s.* in the pound. What hope could Ireland in her poverty have, were such an amount of suffering flung entirely upon the rates for relief? The hon. Gentleman read the following statements, referring to Roscommon and Sligo:—

DETAILS OF DESTITUTION IN THE ARCHDIOCESE OF TUAM.

"The Catholic rector of the parish of Abbeyknockmoy in the archdiocese of Tuam, states:—Four hundred of my parishioners have died, and almost the entire of them from fever and insufficiency of food. The present population of the parish is about one thousand families. Two hundred persons have been obliged to desert their holdings, between those who have been compelled to emigrate, and those who have been evicted. Not more than fifty families will have a sufficiency of provisions, after paying rents and every other liable rate, to last them until next harvest. There are at this day 350 families in actual destitution; and of the other 490 families, half will have provisions until Christimas, and the other half may struggle on until February.

"The Rev. M. Flannelly, R.C.C., Crossboyne, states: The reduction of my parishioners is about 500 persons by famine, and its consequent disease. The present population of my parish is 850 families, or 4,200 individuals. About 150 families have been obliged to desert their holdings, and are now houseless and destitute of abode. About 50 families out of the entire population have food to sustain them until the coming harvest. About 300 families are in a state of deep distress, many of whom at present have not a turnip to support them, and all of whom will be very soon in a state of utter destitution.

"The Rev. Denis Tighe, P.P., of Ballaghaderrin, gives the following account of the parishes of Kilcoleman and Castlemore:—The population of this parish at the commencement of last year was near 12,000; it is now reduced to 9,860 persons; 478 died of famine and its immediate consequences since the 1st of October, 1846. There are at present 138 families suffering from fever. The great bulk of the people hold very little land, which is of inferior quality; it barely supplied potatoes in past years, and now that the potato crop is gone the poor are in the greatest distress. I find that 129 families were obliged to desert their little holdings and cabins. There are at present 470 families, consisting of 2,246 persons, in extreme want, living on turnips and a little Indian meal. No language can describe the miserable condition of the most of them. The landlords are for the most part absentees, some of whom are at present selling out the oats of their poor tenants and exacting rents with the utmost rigour.

"Parish of Ballintubber, per Rev. James Browne, P.P.—The reduction in the number of my parishioners by famine and its consequence, epidemic disease, since October, 1846, has been about 840 souls. About twenty families have been evicted in Burriscarra; their houses were all thrown down. The system of eviction is now progressing in Ballintubber, and distraints for rent frequent and oppressive.

"Parish of Balla, per Rev. Martin Browne, P.P.—The reduction in the number of my parishioners by famine, and its consequences, epidemic disease, since October last, is 300. Seventy families emigrated to America and England, and forty were obliged by their landlords to surrender their tenements. I consider the condition of the coming season more alarming than that of the past, as vast numbers of the poor parted with their cattle and sheep, &c., in order to procure means of subsistence during the awful crisis through which they have passed; and the landlords, with very few exceptions, are most pressing in their demands for rent and arrears. Keepers are to be seen by night and day in all directions. The poor, on this account, will be very unwilling to prepare a tillage for the next year, as they would be toiling for their taskmasters.

"Parish of Kilmoylan and Cummer, per Rev. Patrick Duggan, P.P.—Since October, 1846, 145 deaths have occurred; and, considering the number of deaths, compared with other years, I am positive in stating that 110 of the number were owing to want and its various consequences. The present population in my parish is 3,681. About 40 families have been obliged to quit the place, or to go to the poorhouse. It is my deliberate opinion, after making every and most minute inquiry, that out of the 647 families in the electoral division, there are not 20 of that number who will have food enough to support themselves till the ensuing harvest. There are at this moment 250 families living almost entirely upon turnips; almost all the crops must be sold to pay rent and taxes. The prospect for the approaching season is infinitely worse. Numbers were obliged to consume their whole stock in the exorbitant prices of food during the crisis. Besides, and above all, the usual confidence is gone, and now no dealer in provisions will trust any poor man for the space of a day, or the price of a shilling, as was, time immemorial, the custom with the retailers of food.

"Parish of Dunmore, per Rev. P. Brennan, P.P.—I compute the number of deaths in the last 12 months by famine and its consequences to amount to at least 1,000. I am of opinion that there are still 12,000 persons in my parish. Out of that population no more than 200 families have food to sustain themselves until the coming harvest I hesitate not to say that there are at least 800 families in a state of the most abject destitution. The people have, with very few exceptions, scarcely any clothes wherewith to cover themselves. The coming season is more terrific than was the last year, for the people's means have been perfectly exhausted, and they are now left in a dreary hope for the future.

"Parish of Kilcoleman, per Rev. James Hughes, P.P.—From last October to the 10th of last April, the death census which was kept was 350, from famine and epidemic; since that period to the present it has been 250 more; total 600. The present population of my parish is 8,451. More than 60 families have been obliged to desert their holdings. Of the population of this parish, 800 have not food, or means to procure it, to support them until next March; there are 1,000 without any land, or trusting to one rood, in great destitution. No one can account for how these creatures live. There is more than another 1,000 equally destitute at present, although, having from three to five or six acres of land. There are in the parish over 3,000 above the age of seven years, who could not attend at mass on Sundays and holidays for want of clothes.

"Parish of Luckagh, per Rev. John Burke.—Since April, 1846, at least 250 died up to the present date, and three-fourths of said number of actual destitution. During that period over seventy families were ejected by legal proceedings from their holdings by landlords in this parish, and about thirty emigrated. After paying rents, taxes, &c., out of the present crop, I do not think there would be over twenty householders in any parish that would have a supply of food until the coming harvest.

"Parish of Achill, per Rev. James O'Dwyer, P. P.—The reduction in the number of my parishioners by famine and its consequence, epidemic disease, since October, 1846, has been about 600. The present population of my parish is 6,000. One hundred families have been obliged to desert their holdings. Out of the population about twenty families have food to sustain themselves until the coming harvest. The people are badly clothed. The prospects of the people of this parish for the coming year are much worse than they were last year. They sold almost their entire stock to support themselves the last year.

"Parish of Partree, per Rev. Peter Ward, P.P. —The reduction in the number of my parishioners by famine and its consequence, epidemic disease, since October, 1846, has been upwards of 1,000 souls. The present population of my parish is about 900 families. More than 100 families have been obliged to desert their holdings. Out of that population seven or eight families have food to sustain themselves until the coming harvest. About 600 families are still in a state of utter destitution. The people generally are badly clad, badly fed, and badly housed. The coming year appears to me to be more alarming than the last. One-tenth the number of cattle, sheep, pigs, poultry, &c., is not to be had—no means, no food."

DETAILS OF DESTITUTION IN THE COUNTY OF ROSCOMMON AND PART OF COUNTY OF SLIGO.

"Sligo county, united parishes of Tavnagh, Drumcollumb, and Killmacallan, per Rev. Edward Feney, P. P. — Reduction in the population by famine or disease, 400; present population, 1,000 families; families obliged to desert their holdings, nearly 200; families having food till next harvest, 400; families with houses and a rood of land, or more in destitution, 300; clothing extremely bad; very few new garments made at all. The condition of the people, compared with that of last year, is decidedly worse. There is much less food. Pigs have nearly disappeared, poultry is scarce, cattle few.

"Union of St. John's, Coolderra, and Calry, per Very Rev. Owen Feeny, Admr.—Population, 22,277; number of families holding a cabin, and not more than an English rood of land, 1,513; number of families in better circumstances, having provisions for one, two, or three months, 872; number of families totally destitute, 1,353.

"Ahawish parish, per Rev. Michael Brennan, P. P.—Amount of population, 6,333; number of destitute people who have no species of support, 1,971; number of families holding a cabin and an English rood, 35; number of families above the class who have no present provisions, or at most only for one, two, or three months, 602.

"Roscommon, parish of Kilcorkey, per Rev.

Michael M'Gavy.—The parish of Kilcorkey is four Irish miles long, and not more than one mile broad in any direction. It contains at present 578 families; about one half of the entire are unprovided for, about ninety-eight being totally destitute. The actual deaths from starvation from the commencement of the potato disease are twenty-seven, and the deaths produced by disease arising from privation of food about sixty; 127 families emigrated, or left the parish, within the above period, and thirty-five families are at present suffering from fever, dysentery, &c. Within the parish twenty-one divisions, varying from three to fifteen acres, have been left unsown. The produce of the present harvest, if left entirely with the poor, would give support for six months, or perhaps longer. The rate is 2*s.* 11*d.* in the pound. They have no pigs, and I may say, as to poultry, about one-third or one-fourth of what they possessed in former years is the extent of what they now have. The poorhouse is upwards of three miles away. There are upwards of 600 inmates. The principal landlords are Mr. Goff, representatives of the O'Connor Don (deceased), Mr. Paynam, and Dennis O'Connor. Dennis O'Connor is the only resident landlord.

"Parish of Kilross, per Rev. Luke Cullinan, P.P.—Catholic population, 2,556; Protestant ditto about 500; total, 3,056. The poorhouse is now filled, and neither public or private employment is given in this locality. I calculate the number of the destitute who have no species of support at 300. The class of families holding only a cabin and an English rood is nearly extinguished by landlords, and the prevailing distemper, fever, and dysentery, &c. I calculate their numbers at present at fifty families. It is impossible to give an accurate return of the class that can support themselves till next harvest, as their numbers are daily decreasing. The landlords are seizing on the crops without mercy, and leaving many families who were heretofore comfortable without a morsel of bread. —— has this week carried off the crops of six families living on the townland of ——, and —— has seized on almost all the crops in the parish of ——. I have met every day during the week his horses and carts to the number of ten or twelve carrying off the oat crop of the poor people to his haggard, leaving them nothing whatever for their support. It was a heartrending sight, and their cries, I am sure, reached the throne of the Most High. I understand that others of the landlord class are about to follow the example.

"Frierly parish, per Rev. Edmund Henry, P.P.—Number of families, 860, population 4,310, left their holdings, 40; number of families having food for twelve months, 60; number with tillage not sufficient to pay their rent, 500; number of families in utter destitution, 204; reduction in numbers, 306. Clothing very bad. Indeed the prospects of this season are far and far away more alarming than those of the last.

"Parish of Elphin, per Rev. M. Fahy, P.P.—The population of this parish reduced from 8,000 to 5,334. Widows and orphans, infirm, &c., 684. Return of destitute at present, 3,000; deaths from actual starvation, 360; ditto from starvation brought on by want of food, fever, and dysentery, 542, making deaths from all causes amount to 902; emigrants, including those of 1846 and 1847, 428; number now in fever, dysentery, and other sickness, 263. In general in those calculations I made allowance for the deaths that occurred since the relief lists were struck by the clerks of the several divisions in this district; on the whole I believe I am under the number in each case.

"Parish of Ardcam, per Rev. B. Hester, P.P.—Population at present in the union of Ardcam and Toomna, 1845, widows, orphans, &c., 1,059; totally destitute, 3,482; died of actual starvation since the commencement of the potato rot, 463; died by disease consequent upon famine, 344; total deaths, 807; emigrated, 1,088; number of families having no land, 463; individuals sick at present, 230.

"Parishes of Aughana and Aughnasurn, per Rev. Domk. Noon, C.C.—In the parish of Aughana died of fever, since October, 67; of famine, 137; emigrated to other countries, 230; dispossessed of their land, 100; persons having food till harvest, 40; persons holding one rood of land and cabins, and destitute of means, 272; persons not holding one rood of land, and who are in a state of starvation at the present moment, 862. In the village of Aughnasurn, died of famine, since October, 76. In Smulternagh, died of famine, 53. In Aughnagonia, Farnaghy, Carncarthe, and Annah, died of famine, 64; in all 193. The above villages are on Lord Lorton's property. Families without land, 87; those having a cabin and one rood, 46; dispossessed of their holdings, 13; emigrated to other countriss, 164; died of fever, 97. So the gross deaths from famine alone are 330, and from fever 161. And there are in Aughana and Corregeenrae, at the present moment, without any means of subsistence or support, in a state of starvation 1,343 individuals. Their condition as to clothing very bad, the prospect for the coming season far more alarming, in consequence of the means being abstracted from the people. In every village the drivers are to be met with, and not one shilling given by any of the landed proprietors in the way of employment. It would be desirable if some resolutions were drawn up to the effect that all benevolent societies should cease to put money into the hands of parties who are only abusing it, and, generally speaking, using it for proselytising purposes, and giving it to persons who don't most need it.

"Parish of Baslick, per Rev. M. Flood, P.P.—The population of the parish of Baslick, and the number of deaths since October, 1846, up to October, 1847, are as follow:—Number of families, 529; number of families lodged and scattered through the parish, 35; population, 2,938; died, 322; families gone to America and elsewhere, 82. Of the present population, 180 families have no gardens; 130 families are able to support themselves for half a year; and the remainder of the inhabitants will be lost if immediate relief and employment be not given them. There are very few trusting to less than an acre of land; and some who have from seven to twelve acres have neither crop, cow, calf, or pig. They are generally all in want of clothes, and are now hard pressed for the rent and poor-rate, 2*s.* 11*d.* out of the pound. They are able to give the priest nothing; and I am sure I will not have half the number this day half year, as they will be ejected out of the land, and the remainder, with the exception of the number stated, will die of starvation. A great many of the youth of this parish went to America this year past that are not taken into this account.

"Clonfeulough parish, per Rev. J. Boyd, P.P.—Population, 3,780; number died of starvation

and disease brought on by insufficiency of food, 300; emigrated, or quitted their holdings, 500; holding less than a rood, 500; at present in great want, 1,000; after six months, if landlords press, 2,000 will be in want; if equally distributed, the corn crop would maintain the gross population about five months; in general very badly off in respect of all kinds of clothing.

"Lisanuffy parish, per Rev. J. Boyd, P.P.—Present amount of population, 3,859; died since October, 1846, of starvation and diseases superinduced by privation and want of food, 289; having less than one rood of land, 1,009; number of those who emigrated or quitted their holdings, 553. In great distress at present, one-third of the population. If landlords press for rents, two-thirds will be reduced to want in six months. If equally distributed, the corn crop would support the aggregate population for about four or five months. About half the population in a sad state for want of clothing.

"United parishes of St. Peter's and Drum, per Rev. Martin O'Reilly, P.P.—Five hundred and forty-eight have been consigned to their graves since October, 1846, of which number 430 died of famine and its natural consequences, epidemic disease. The present Catholic population is 6,756; 82 families have been obliged to desert their holdings, and before three months will elapse 410 families will have to do the same: 826 persons, or 165 families, with great economy, will be able to support themselves until the coming harvest, after paying rents, taxes, &c. &c.; 4,509, some of whom have a rood of land or more, and others but a cabin, are still in a state of utter destitution: 4,000 are very badly clothed, nearly naked. The prospect of the coming season is by far more alarming than the past; landlords and other creditors are seizing upon the crops and cattle. In addition to the above heartrending circumstances, fever is very prevalent.

"United parishes of Killeemad, Killarkin, Easterstown, &c., per Rev. Matthew James Bauch, C.C.—600 individuals have perished by famine and its consequent, epidemic diseases, since last October. The present population of the parish is 7,367 individuals, or 1,349 families, Protestants included: 136 families have been obliged to desert their holdings; some of those still remain scattered through the parish, having cabins, and others have gone to America. Including Protestants and Catholics, 127 families will be able to meet all their demands until next harvest; but I consider that if many of those are not indulged by their landlords, they will have no capital to continue as tenants afterwards. 491 families, or 2,440 individuals, having a rood of land or more, together with a house, are nevertheless in a state of destitution; the remaining number of families, that is, the class between the independent and destitute, would have a sufficient quantity of food to support themselves and families if not called upon to pay any rent or taxes. But this cannot be expected; and supposing them to pay a fair proportion of the rents, &c., now due, they might have about a quarter's provisions. In this calculation I contemplate the case that no public employment will be given. Many of the roads in this district are in an unfinished state. Drainage on a large scale was contemplated, but the Board of Works declined, though everything required on the part of the landlords was complied with. If this was gone on with it would greatly relieve this district. One landlord has taken a part of the million and a half voted to landlords; but I do not think this will much relieve the destitute, as, in order to give employment, he requires, as a condition, that one half year's rent at least should be advanced. The condition of the people as to clothing is so very bad that two-thirds of those who were regular attendants at chapel cannot now make their appearance in public. In many instances the children are quite naked. The Protestant clergy and some Protestant gentry are distributing some light clothing; but they give it only on condition of parents sending their children to proselyting schools, or of themselves appearing at church or lecture. In one part of the parish a Presbyterian minister has been employed to preach to the people. The same conditions are required in order to get the food at their disposal. In fact, every effort is being made to lead our starving people away from their faith. In my opinion the prospects of the coming season are much more alarming, for poultry and pigs have almost disappeared. In their other stock the poor are reduced to at least one half. With regard to tillage, a great portion of it will not be fit for a grain crop next season. Some are now digging it up and mixing manure with it in order to prepare it for grain, but this is a new experiment which many fear will fail. My great cause of apprehension for small cottiers is, that last year they had some poultry and some little furniture, which they disposed of when tightly pinched; but this year their little cabins are completely naked—they have no resource.

"United parishes of Ballintubber and Drimatample, per Rev. Thomas J. Dillon, P.P.—After the strictest inquiry I am fully convinced that upwards of 500 persons died of famine and its consequences since the 1st of October, 1846, to 1st of October, 1847; 166 families had to desert their houses and holdings. The present population is 717 families, or 3,754 persons. Of the above population 487 families are in a state of destitution; 151 families have from three to six months' provisions; 79 have food and sufficient means for twelve months. The condition of the people as to clothing is most wretched. Comparing the condition of the people now with their condition last season, the prospect for the coming season is far more alarming. As to cattle, sheep, pigs, poultry, &c., the poor have little or none.

"Kilkevan parish, per Rev. John Tighe, P.P.—Died of epidemic disease brought on by insufficiency of food, 112; the present population is 1,306 families, 110 of whom are Protestants. There are gone since October last 274 families, either to America or England, or to their graves; 300 families have sufficient food for the year after paying rents, taxes, &c. There are 430 families in this parish who have little or no land, who are in utter destitution. These 430 families have no clothing, but mere tattered rags. They are infinitely worse this year than last. Many who had cows last year have neither cow, calf, or pig this year. N.B. When speaking of mortality in this parish, I do not include the poorhouse, where beyond 1,500 have died.

"Roscommon and Kilteevan parishes, per Rev. John Madden, P.P.—The number of deaths from fever, famine, and dysentery, from October, 1846, to October, 1847, is 536. The present population is 7,300; number of families who deserted

their houses is 124. The number of families who can support themselves for two or three months, 280; number of families who are destitute, there being no public works of employment for their support, 1,015. Their clothing is very bad, and the prospects of the coming year are more gloomy than the last. I know many who were obliged to desert their holdings; others left them untilled under the delusive hope that Government would give them seed.

"United parishes of Ogula, Kilcooly, and Killucan, per Rev. M. Lennon, P.P.—The population of these parishes is 5,663; the number of widows, orphans, and such like, unprovided for, 843; the gross number of persons totally destitute, 2,461. The deaths from disease produced by starvation from the commencement of the potato failure to last September, about 106; fever prevails in 60 families at present. Those in the poorhouse exceed the limited number of 300; the rate is 3*s.* in the pound; 579 persons have emigrated during the same period. The produce of the present harvest would support the people for about four months without any allowance of rent, &c., and we have no apparent means of supplying the deficiency except by the Poor Relief Bill. No public works at present, no private employment. About 208*l.* was raised during the recent famine by local subscriptions. There are neither pigs nor poultry in the possession of cottiers; with respect to others they may have a fourth of the poultry of former years—pigs, one in 80. The landlords of the parish are Lord Crofton, Robert H. French, Esq., Minors Balfe, Thomas Barton, Esq., Minors Goff, James Somerville, Esq., Daniel Kelly, Esq., Daniel H. Farrell, Esq., Jeffrey M. Ffrench, Esq., all non-residents except the last mentioned. The misery and privation the people are enduring is truly awful—without food, clothing, shelter from wet, &c. Were it not for the relief they receive from those who are but a degree removed from want above them they must actually starve. I had the good fortune to reserve until now about 170*l.* of our relief fund. It is just now of the greatest benefit. We give out weekly about two tons of meal. The people must actually perish in hundreds if immediate relief be not afforded, and I see no prospect of any except the Poor Relief Act. Here we have the finest land stocked with fat cattle, yielding to the landlords large rents. Those are all non-resident. They gave their ten or five pounds subscription, but no further assistance to the poor. Evictions are numerous, and no remedy against this system, but a heavy rate to feed the people."

Now, having read these appalling statements, he would ask were the measures which they had yet heard of on the part of Government calculated to meet such emergency? All the accounts which he had received concurred in stating the condition of the country to be infinitely worse than it had been this time last year. There was a total loss of stock on the part of the small farmers, and multitudes of people had no means of providing themselves with clothes suitable to the approaching winter. They would have to face the inclemency of the season naked as well as starving. Surely such a state of things required the immediate attention of Government and of Parliament. He must say too that he could not think it was worthy to have laid the whole stress of the necessity for this early meeting of the House upon matters connected with the late proceedings of the Government in regard to the monetary crisis. It would have inspired them in Ireland with greater confidence had they been told that the distressed condition of that country was the real reason for the assembling of Parliament—as however, he trusted, for the honour of humanity, it was. Well, then, the question now was, what were to be the measures enacted? They had been told of the remnants of food in the depôts. So far the intention was excellent; but how much food was still stored in these receptacles? It would be very satisfactory to them and to Ireland, if Government were to state the extent of these stores; and still more so, were they to be assured that in case the supply should prove deficient, that Parliament would be called upon to make up the necessary quantity. He trusted that the time was come for looking the condition of Ireland in the face, for inquiring into the cause of her perennial evils, in order to lay the axe to the root of the mischief, and to sow deep the seeds of permanent prosperity. They were promised a measure relative to landlord and tenant; but what hope of more extensive reforms did Government hold out? Why, they had heard it said, and that too in a certain jubilant tone, that the poor-law would be sufficient for the present, and that Irish property was now beginning to support Irish poverty; but neither in the last Session nor now had they heard of any Ministerial Bill calculated to sow the germs of Irish prosperity. What had been already done? There were the loans to landlords and those for public works—no doubt very good temporary stop-gap measures. But was it the best plan for making a man rich to tell him to run deeper and deeper into debt? That was positively the moral taught by the Government measures of last Session. He implored them, were it only for the credit of this House and of this country, to consider the state of Ireland, and to give them the substance and not merely the shadow of relief. And all such measures to be effectual must be speedy. Whilst they were speaking the people of Ireland were perishing. If they intended to get rid of the difficulty by leaving the people to starve, they could go no

better way about it than that of passing long evenings here engaged in financial debate, unmindful of the claims of a perishing population. There were means of relief which could be put into instant operation. There were the roads, which, if allowed to remain all the winter in their actual unfinished state, would be utterly destroyed, and so much of the public money as had been expended on them as utterly wasted. In the Minute of Government the finishing of the roads was not determinately settled, but was put in the alternative. So that it was left either to the Government or to the country to complete them. It might be an excellent measure to give the people the food that remained in the granaries; but he called upon Government to give them employment also—to finish the roads, and thus to render that expenditure profitable which had already taken place upon them. The Government had made no declaration of their future intentions. It would be impossible to leave the matter in its present state; and he implored them therefore to give him and those Members who acted with him an excuse for getting rid of the Amendment, by some declaration with respect to their Irish policy. He could have wished that it were not necessary to insist on the Amendment. Let some Member of the Government get up and state in specific terms the amount of relief they were prepared to give to Ireland, and what they were ready to do without any further application to Parliament. He could not help expressing the regret he felt that the right hon. Baronet (Sir G. Grey) should have thought it necessary to read a letter such as the House had heard from an anonymous writer. It was quite right the person who wrote it should be desirous of concealing his name; but it was too bad that at a time when the screams of the people were appealing to the House for food, the letter of a skulking heartless creature should be thrown into their teeth by the right hon. Baronet. The clergy knew best the real distress of the people; and if the right hon. Baronet wanted any information on the subject, he should have applied to them; and not they only, but every one who was acquainted with Ireland, exclaimed, "Charge us as you will —lay any expense upon us that you like, but save the people from death." The right hon. Baronet (Sir George Grey) said the hon. Member for Cork had dealt with an imaginary opponent when he controverted the assertion that all the people of Ireland were abandoned criminals, and that he had done so needlessly. But was there no such thing as the *Times* newspaper? Was that an imaginary opponent? True, it was but a newspaper; but then it was a great organ of public opinion in England, and would not dare to write in such a strain of the people of Ireland, if it did not know it would be borne out by the feelings of the public in this country. The people of England gave that insolent, infamous, calumnious, and felon newspaper their support, which was believed to be the organ of the Government; and it was vain to exclaim while such was the fact, that the people of Ireland, who arraigned British feeling, were dealing with imaginary opponents, and not with the British public, who sanctioned such calumnious attacks in that newspaper upon the Irish clergy and people. Those who supported it, were part and parcel in these attacks; and as long as that paper was in such favour, they had a right to take it as an exponent of English feeling. They might talk of persons trying to create hostility between the two countries; but he defied them to show, in the most extravagant speech of some misguided young man on the other side of the water, anything so calculated to excite such ill-feeling as the writing in the *Times*. He would now turn to the subject of coercion. The hon. Member who seconded the Address had spoken out with candour as to the means he would adopt to quiet Ireland, and had told them plainly that those means should be the removal of the ordinary law, and reliance on the bayonet alone. The hon. Member said they were bound to show the people of Ireland that there were duties as well as rights, and that it was incumbent on the Government to teach them so. He (Mr. O'Connell) entirely concurred with him; but if that were the duty of Government, had they fulfilled it? Had they taught the landlords to do their duty? and what measures had they brought in to teach it to them? He fully joined in the denunciations of the poor man who committed a crime; for he felt as he stood there, that his feeble advocacy of his country was weakened by the consciousness of the horrible crimes that were committed there. But why was it that the crimes of the rich had not been denounced? How often had the House been informed of the details of ruthless exterminations, when whole families had been thrown out on the road-side to perish of hunger, or driven to

drag on a wretched existence in the overcrowded towns; and next day some hon. Member would come down and declare upon his honour that there was no truth in the story; for that the landlord in question was one of the most humane and compassionate men in the world, and would not be capable of acting so cruelly? But these hon. Gentlemen, in their anxiety to defend the landlords generally, proved too much. The House, however, had made no effort to check these evils, nor had anything been done to remedy these cruel acts, except the production of an abortion of a Bill. He willingly invited any charge that might be made against him, of being one of those who excused the crimes of the tenantry in the discharge of his duty; and he did not hesitate to affirm that the crimes of the landlords should be suppressed also. As soon as he felt that the powers of the ordinary law had failed to terminate disturbance, he would be ready to go any length to strengthen the hands of the Government; but he contended that it was now high time to put down the crimes of the landlords of Ireland. The House had been far too remiss and tardy in dealing with this monster evil, as it had been well termed by an Englishman, Mr. Wiggins, one of the most extensive land agents in Ireland. The hon. Seconder of the Address said, that after the suppression of crime, Government should take measures to establish confidence in their intentions, and to secure prosperity to the people. When had they ever done so? Had they not suppressed crime before now, and never taken any steps to bring about such a desirable end? If, then, the House agreed to give them those increased powers, they had no security that the Government would care to perform their promises once they had obtained the means of coercion. The hon. Member had drawn a parallel between the Irish people and the Saxon serfs; but he (Mr. O'Connell) denied its accuracy. The Irish might be poor and miserable, but, thank God! they were not serfs. They had been long suffering and oppressed; but it was a fatal mistake to think that they could much longer endure their wrongs. It was quite true that the hon. Members of the House were perfectly safe in this metropolis; it was quite true that the mighty arms of England might crush the mad efforts of the people; but that could not be done till they had deluged Ireland with blood, and when they had made a desert of corpses they might call it peace if they pleased. How strong would England be then? Let the House go on in its career of promises never fulfilled, and of threats always executed, and such must be the result of the conduct; but let them do their duty, and hold out the hand of justice and fellowship to the people of Ireland, and his life on it they would soon find an ample return in the present peace and in the future prosperity of the empire. He could, if he wished, enter upon a favourite ground with Members of that House, and institute a comparison between the crimes of England and of Ireland for the last three months; he could show them how the poor Irishman, deprived of every means of life, and left to starve with his helpless children by the road-side, committed no crime till driven to desperation; and then he could ask them if they believed that was the character of English crime? But he did not wish to pursue the subject, though the provocation was great, for nothing was so popular with English Members. He would not call on them to answer his question, but would merely call on them to look at the number and enormity of horrible crimes which were committed in this boasted land of England. Turning to another topic, he could not but declare that great reparation was due to the right hon. Baronet (Sir R. Peel) from Members on the opposite side of the House, who had turned him out of office, aided by the hon. Members near him. Why had they done so? The right hon. Baronet had carried one of the greatest measures, and effected one of the greatest changes that had been introduced for many years. He (Mr. O'Connell) had accused him in that House and elsewhere of being a deadly enemy to Ireland; but he could not but say the right hon. Baronet had by his conduct at the close of his official existence nobly redeemed much of his bygone career, and had redeemed it at the sacrifice of office. There was a strong and general feeling, however, that he had been turned out because he was preparing for a Coercion Bill, without taking steps to lay the axe at the root of the evil. But the present Government were doing the very same thing. He could not go with them in that course, and he deplored their new attempt to coerce the people of Ireland. Above all, he regretted that the right hon. Baronet (Sir W. Somerville), whose opinion he was so happy to agree with in former days, should have sanctioned Government in this course.

There must be something in the very air of office that weakened the sympathy of the right hon. Baronet for the cause of his country; and he could not but feel great regret that he had taken this step. The Ministry, of which the right hon. Baronet was part and parcel, were criminal and guilty if they asked the House to pursue a system of coercion before they had laid the axe to the root of those evils which caused all the crime that distracted the country. He had some passages of the speech of the noble Lord the Member for the city of London (Lord J. Russell) on the coercion debate in 1845. Might he ask the noble Lord what change had come over the spirit of his dream within the last eighteen months, and why he did not now maintain the opinions he had then so forcibly expressed? The noble Lord, speaking then of a state of things which threatened the very existence of the country, said—

"I came down to this House, and I asked for increased powers. I asked for powers to increase the military, and I asked for powers to increase the constabulary force. The right hon. Gentleman now the First Lord of the Treasury agreed with me in those proposals. I obtained his support. Those measures, together with prosecutions under the ordinary law, were resorted to, and the country was restored to a state of tranquillity. After the right hon. Gentleman opposite came into office disturbances of a similar nature occurred in the manufacturing districts perhaps still more alarming. The right hon. Gentleman the Secretary of State for the Home Department pursued exactly the course I had taken. He sent down an increased military force, he ordered prosecutions before the ordinary tribunals, and the country was restored to a state of tranquillity without any resort, as was their opinion in 1817 and 1819, to the Legislature for the purpose of obtaining extraordinary powers."

He asked them to try the same experiment again, and not to pass any coercive measure which would add to the long and black catalogue of offences which must be settled some day or other. In June, 1846, the noble Lord (Lord J. Russell) made use of the words he had quoted; and he (Mr. O'Connell) now addressed him in turn, and told him that he would vote for an increase of military and constabulary, if it were necessary, and would support the Executive to the utmost; but would not cease to resist coercion till all else had failed. Let the Executive do this—let them issue special commissions, and transport and execute the convicted on the instant they were found guilty, as was done by the present Chief Justice of the Queen's Bench in Ireland; let them try every means before they infringed upon the constitution. There was nothing in the accounts from Ireland to-day that would warrant them in doing so. They read that the people had turned out in Limerick on the occasion of a murder, and captured the murderers. [Sir R. H. INGLIS: The supposed murderers.] The hon. Baronet might amend the phrase if he liked, though he could not see his object in it. The Government should encourage this spirit, and not turn it into gall and bitterness. In another case, in the parish of Kilnacady, the sub-sheriff, trusting to the people, had executed a *habere* without the aid of the police, and had succeeded in doing so unmolested. The Government could come to the House with a great show of strength if they said, "We have tried the powers of the ordinary law, but they have entirely failed—disorder and crime still continue, and we ask you therefore for additional powers." He did not know what measure they could propose on such grounds that he would not be prepared to support. But why should they not adopt this step? Why not investigate the causes of these crimes; and what difficulty would they experience in doing so? The Government had let those evils in the relation of landlord and tenant grow up to such a pitch, that the people were losing all sense of distinction between right and wrong, though the remedy would have easily been found in a mild measure if they had intervened in time. It was not the case, however, that the people were so bad as they were represented. Even in Tipperary where they were all said to be so base, there were many who had no fears of violence, because they did their duty. The hon. Member for Tipperary, and his cousin, who were the two largest landowners in the county, were perfectly safe, went out at all hours and kept their doors open, but nevertheless made no unworthy concessions to the people. His hon. Friend near him had ejected tenants within the last few months. Had he been shot at? No; and the reason was, that he dealt with the people fairly, gave them every chance; and the consequence was that he had the feeling of the people with him when he turned a tenant away. But that was not the only case. There was the instance of his friend Mr. Bianconi, whose estate was in the very worst part of the county. The former owner of it had been shot at, and had left the country; and his father had been also shot at, and killed dead before his own hall door. In that state Mr. Bianconi bought the land. [Mr. B. OSBORNE:

But he does not reside there.] The hon. Member said he did not reside there. If he had thought his statement would have been contradicted, he would have been prepared with authorities. He was sorry to see the hon. Member so ready to take the part of the landlords. Let him beware of bad advisers; the hon. Member had come to Tipperary with the best intentions, but he feared the hon. Member had allowed his ear to be abused, and he could assure the hon. Member, if he only trusted to the people, he would find it for the benefit of himself and his estate. There were then these landlords, and also Lord Lismore and Mr. Chapple, who did their duty, and the consequence was that their tenantry were happy, and they themselves were at peace. The Government called for increased powers; but they should consider that those very powers would have to be exercised by a partisan class—by those same landlords who were themselves the criminals. By coercion they would be but arming a body of partisans against the people. He repeated his most earnest entreaty to the Government to consider well what course they were about to take. They had promised eighteen months ago that coercion would be at an end, and had allowed the interval to pass without doing anything. They threw out the Bill of the hon. Member for Rochdale—the Tenant Compensation Bill—and had not introduced any measure of real benefit to the people during their whole term of office. He called on those Members who now for the first time took their seats to look into *Hansard*, and see the strong declarations of the Government of the day that the peace of Ireland was in danger, and that it was absolutely necessary for the existence of society that strong powers should be given to Government to repress the disorders of that country. These powers were not given to Government. Twelve months passed away without coercion, and, above all, without legislation for the evils of the country, and society was not destroyed nor peace extinguished. Let them take warning from this, and not be carried away by the denunciations of those who added to their statements the weight of their official position, and let them not copy the conduct of those who denied every just claim, and enforced every harsh measure with respect to the people of Ireland. It was true that he believed he would not influence many of them by his words, and that the voice of the people of Ireland and of their representatives had no influence in that House. He believed there was no sympathy for them to be found there. But the representatives of Ireland were bound to discharge their duty; and he therefore declared that as he had been prepared to give the right hon. Baronet (Sir R. Peel) every opposition in his power, in case he had attempted to coerce Ireland, so was he prepared to resist in the most determined way, to the utmost of his power, any measure of the noble Lord in a similar direction.

Sir B. HALL had hoped that, after the speech of the right hon. Gentleman the Secretary of State for the Home Department, the hon. Member for Meath would have been allowed to withdraw his Amendment; but in that hope he was disappointed by the speech of the hon. Gentleman who had just sat down. He was exceedingly surprised at what had fallen from the hon. Gentleman, who took to himself the title of leader of the Irish people. [Mr. J. O'Connell: No.] At all events the hon. Gentleman put himself in that position, whether he assumed the title or not. The hon. Member said that no measures of a conciliatory character had during the last eighteen months been adopted in respect to Ireland. The hon. Member who made that sweeping accusation must have forgotten what was done in the last Session. He (Sir B. Hall) had taken a prominent part—too prominent for the ability he possessed—in endeavouring to reform the abuses in Ireland; and whenever he heard statements like those made by the hon. Gentleman he would endeavour to show up those abuses, and to show that those statements made by persons who had had everything from this country was not founded on fact. Was the sending 8,000,000 or 10,000,000 of money to Ireland nothing? Had England not done everything in her power to stay the famine, the plague, and the pestilence with which it had pleased Providence to afflict Ireland? And was not all the necessary money cheerfully granted by the people of this country? Had they not at the commencement of the last Session of Parliament entertained the hope that the labouring classes of this country might be relieved from some portion of taxation, and did not the people patiently submit to all that money being granted for the sake of Ireland, without ever asking a single Member of the House of Commons to demand the reduction of a single tax? Was the House then to be

told that it had done nothing for the people of Ireland? Let him tell the hon. Gentleman, who assumed the title of leader of the Irish people— [Mr. J. O'Connell: No, no.] At all events the hon. Gentleman put himself in that position, though he would say, "The Lord defend us from such a leader!" Let the House hear what the hon. Gentleman had done for Ireland —he who held a distinguished position in that country. Had he endeavoured to alleviate the distresses of his country; or, on the contrary, had he, by attending certain meetings, sanctioned language inflammatory in character, and calculated to excite the worst passions of the people, incentive, as it had been, to murder, and to assassination? Had he, when he heard that language, ventured to denounce it? Let the House bear in mind what the hon. Gentleman had done, and when he came forward and said that he would be against all coercive measures, let the House consider what was the speech he made in the Repeal Association the other day. Why, if there was any truth in man, the hon. Member would become a victim on the floor of the House of Commons, should coercive measures be carried. No wonder, therefore, that the hon. Member did not desire coercive measures—he wished to save himself from immolation in that House. Therefore he says, "I will not be a party to coercion, because, if I have spoken the truth, I shall, in the event of coercion, have to die on the floor of the House of Commons." Let the House consider the state to which Ireland had been brought by agitation. It was bad enough when there was only one Repeal Association there; and, looking at the way in which this repeal cry had been dealt with —considering the protestations made that in each successive Parliament the question should be submitted to the House of Commons—and considering also that each successive Session had passed by without the promised question being brought forward —he looked upon this repeal cry as the greatest possible political humbug that was ever foisted upon the notice of the public. He believed that if it were not for the hon. Gentleman opposite, the Member for Nottingham (Mr. F. O'Connor), the repeal question would not be discussed this Session by any of those who called themselves the old Irish repealers. He remembered that an illustrious individual— certainly one of the greatest men of our day—used to tell the Irish people, occasionally, that if repeal were not carried in six months, or in some such short period, he would lay his head on the block. However, after the lapse of the stipulated time, they saw, notwithstanding that repeal was not carried, the hon. and learned Gentleman and his partisans walk into that House with their heads as firm on their shoulders as ever. This was the way in which they humbugged the people. He thought it was right to use plain language, and show up this sort of humbug. He was ashamed to use that word so often; but it was the only one he could find applicable to the matter. All that was done in respect to this question of repeal by the Repeal body in Ireland appeared to be this—they listened to some inflammatory speeches, and a good deal was said about their anxiety to have a Parliament in College Green; a great deal was also said about the necessity of England doing a great deal more, and advancing more money for Ireland; and then the meeting adjourned after an announcement that the amount of the rent was 35*l.* or 36*l.* At one period there was but one Repeal Association in Ireland; but there were now four. There was the Repeal Association, the Irish Confederation, the Irish Council, and the Council of Distress and Safety. At a meeting of the Repeal Association, the hon. Member (Mr. J. O'Connell) alluded to the proceedings of the Irish Council in these words:—

"Allusion had been made to the Irish Council; he had attended it, and though he recognised much of good, and perhaps of benevolence, amongst the gentlemen who had taken a prominent part in the formation of the body, he thought it was deplorable, at such a period of distress as this, that they should come to resolutions so very vague, in many cases unmeaning and complicated, with many and serious omissions. With regard to the subject of the income-tax, he thought nothing could be more unwise than for the Irish to invite the lash to their own backs."

Now, it so happened that the hon. Gentleman had, at a meeting of the Irish Council, seconded a resolution in favour of an income-tax. Such was the consistency of the hon. Gentleman! He first of all invited the lash to the back of the Irish, and then said it was unwise to do so. But the hon. Gentleman proceeded to explain—

"It might be said, he had himself seconded the resolution in favour of it; but when he was asked to second it, he said he did not agree to this resolution. 'Oh,' said they, 'but you are not called upon to agree.' Distinctly he was told, 'We don't ask unanimity of opinion; we rather seek diversity of opinion;' and he (Mr. J. O'Connell) said, if you want diversity of opinion, you are quite certain of having it."

Sir Coleman O'Loughlen, who was present, here observed—

"Do not, for God's sake, go on with these resolutions; if you do, the English people will laugh at us."

Mr. JOHN O'CONNELL: No!] At all events, Sir Coleman O'Loughlen used words to that effect. So far as regarded the hon. Gentleman's consistency. Perhaps, if the Chancellor of the Exchequer proposed the extension of the income-tax to Ireland, the hon. Gentleman would come forward and second the proposition. But what was to happen at last? For the purpose of showing this, he would refer to another speech made by the hon. Gentleman. On Monday, Nov. 15, at the Repeal Association, Mr. John O'Connell rose to address the Association:—

"There were," he said, "some rumours of a Coercion Bill being passed to repress crime in Ireland. Now, when he went into Parliament next week, if he found that a Coercion Bill was pressed on, instead of the promised measure to reconcile the landlord and tenant, and if every means were not first employed to test the ordinary law to the fullest extent, he pledged himself that he would die on the floor of the House of Commons before he would allow it to be carried through."

Did the hon. Gentleman mean to fulfil that pledge? If the hon. Gentleman meant to carry out the intention he had expressed, he (Sir B. Hall) would certainly be present to bemoan him; and he could assure the hon. Gentleman that, if he meant to die on the floor of the House, everything should be done "dacently." The hon. Member for Kilkenny (Mr. J. O'Connell) had said that, because there were three or four landlords in Tipperary and Limerick who could go out in safety at any hour, and who had no locks or bars for their doors and windows, that there was no necessity for a Coercion Bill; but these cases formed the exceptions and not the rule. When he looked at the present state of Ireland, and read the horrible accounts of assassinations and outrages which took place in that country, he had no hesitation in declaring that, although in 1833 he voted against the Coercion Bill which was then proposed, because he did not believe so strong a measure was necessary at that time, and although he did not think such a measure was requisite now, yet, having heard the statement of the Secretary of State for the Home Department, and knowing the kindness of heart of that right hon. Baronet, and that he would not put forward any measure which would be unnecessarily coercive towards Ireland, he did not think that the law was sufficient to meet the existing evils, and he should be prepared to strengthen the hands of Her Majesty's Government, so far as his humble aid and vote would go. There were in Ireland a class of persons who possessed great influence over the minds of the people, and who, he believed, might by the exercise of their power be instrumental to a very great extent, in the repression of crime—he alluded to the Roman Catholic priesthood. He wished to observe, that he was himself intimately connected with Roman Catholics. From that connexion he had been led into intimacy with many Roman Catholic priests; and he believed that there was, generally speaking, no body of men more exemplary in their conduct, more desirous of fulfilling the duties of their calling, or more anxious and willing to afford spiritual aid to those placed within their circle. But he must say, also, that, as was the case in all communities, there were some exceptions, one or two of which he thought it his duty to bring under the notice of the House. Before he did so, however, he wished to call their attention to an exhortation to the people of Ireland, put forth by the Roman Catholic priesthood of that country, so far back as 1762, at a time when the Roman Catholics were subjected to civil disabilities, when their lives could scarcely be considered safe, and when their property could hardly be regarded as secure. In March, 1762, a general fast was ordained "for the success of His Majesty's arms;" and an exhortation was issued by the Roman Catholic priesthood, and was read in the chapels, to this effect:—

"We think it our duty to remind you of the thanks you owe to Almighty God, who, in these calamitous times, leaves you in the enjoyment of peace, and the blessings that attend it. We exhort you to behave in the same peaceable manner, and to avoid everything in public and private that might give the least shadow of offence. Length of time, your constant, ready, and cheerful submission to the ruling powers, have greatly worn off the rigour of prejudice against you; but whether we shall be deemed worthy of future favour or not, it is our duty, as ministers of Jesus Christ, strongly to enforce the duty of a submissive, obedient, and peaceful behaviour, and yours, as Christians and good subjects, to fulfil them steadily in your practice."

That exhortation was issued in 1762; would to God that such exhortations were put forth now! The author of *The Past and Present Policy of England towards Ireland*, from which he had taken the above exhortation, added—

"Such was the language of the predecessors of the O'Connells and the M'Hales."

Had they not recently seen meetings throughout the disturbed districts of Ireland, at which priests, who were dignitaries of the Roman Catholic Church, had used language far different from that? He was about to allude to a meeting an account of which, he had no doubt, had been read by every Gentleman present; but he was anxious to call special attention to it on this occasion, because four Members of that House were present at it; and he wished to ask those hon. Gentlemen whether they heard the language he was about to read, and which was ascribed to a Roman Catholic archdeacon? He wished to know whether those hon. Gentlemen came forward on the occasion to which he referred, and repudiated the language used by the archdeacon, and whether they called upon him, as a minister of religion and a disciple of the Lord Jesus, to withdraw these sentiments and expressions? A meeting was held at Cashel, at which there was—

"A full muster of priests; four Members of Parliament, namely, Mr. J. O'Connell (the lion of the day), Mr. N. Maher (who acted as chairman), Mr. F. Scully, and Mr. M. Keatinge, besides a sprinkling of small landowners."

The Venerable Archdeacon Laffan, in seconding the resolution, said—

"In doing so, he rose with a feeling of deep sensation. He looked around him, and he saw an assemblage of his brother Tipperary men—the good and the noble-hearted, though perhaps excitable Tipperary men—who were called, by the Englishmen, murderers. The Saxon scoundrel, with his bellyfull of Irish meat, could very well afford to call his poor, honest, starving fellow-countrymen savages and assassins; but if in the victualling department John Bull suffered one-fifth of the privations to which the Tipperary men were subject, if he had courage enough, he would stand upon one side and shoot the first man he would meet with a decent coat upon his back. But the Saxon had not courage to do anything like a man: he growls out like a hungry tiger."

All these remarks, he might observe, were received with cheers. He had no doubt that some of the four Members of Parliament he had mentioned were now present, and he wished to ask them whether Archdeacon Laffan made use of this language, and whether, when such inflammatory language was uttered by one of their own priesthood, they remained silent, or joined in the cheers which greeted his sentiments? He had read the speech in order that those hon. Gentlemen might have an opportunity of coming forward and stating what course they pursued. Were they silent on the occasion he had mentioned? If he might believe the newspapers, they were. He would ask the House whether, under such circumstances, those hon. Gentlemen ought not to have said, "We are dealing with an excitable people; 15,000 persons are assembled before us; you, a minister of religion, a disciple of our Savour, one who ought to be a peacemaker, should not tell these poor people that the way to redress their wrongs is to shoot the first man they see with a decent coat on his back?" Ought not the priests to have told the people, "Conduct yourselves decently; do your duty, not only towards your God, but to your country; and if you discharge your duty as men and as Christians, we, who hold this high and sacred calling, will do all in our power to ameliorate the condition of the people, and to obtain from the Government the redress of your grievances." He hoped that the conduct of a minister of religion, in addressing an excited crowd in such language as he had read, would call forth the censures of his superiors; that the discipline of the Roman Catholic Church, which he believed was generally wielded for good and useful purposes, would be applied to this case; and that, if it were possible, the archdeacon would be dismissed from the high situation which he held. But the Irish priesthood, instead of now issuing such addresses as that which had been put forth in 1762, denounced men from the altar. One man who was denounced was shot the same day; another was denounced from the altar one day and was shot the following evening. These were not imaginary cases; he wished to God they were. What was the evidence of a priest in the county of Tipperary, in a case where a man named Callaghan had been murdered? The following was the examination:—

"Did you denounce the murdered man from the altar?—I did.

"When did you denounce him?—On Sunday at mass.

"When was he murdered?—At 5 o'clock the same evening."

But was it because a man was a bad landlord—because he was unkind and inconsiderate to his tenants, that he was thus murdered? Not at all. Was Major Mahon a man of such a class? He (Sir B. Hall) believed that unfortunate gentleman was a most excellent man. But what were the facts attending his murder? He was denounced by the priest on the Sunday; and on the Monday, while returning from his chari-

table office in Roscommon, he was shot dead in his carriage. Could it be said, then, that the priests had no power in Ireland? The meaning of the Amendment proposed by the hon. Member for Meath seemed to be, that, because the Irish poor-law was insufficient to provide for the maintenance of the poor, they should be supported by the people of this country. He (Sir B. Hall) must say that he, as the representative of one of the largest constituencies in England, would not sanction any further grant of money for the relief of the people of Ireland until he found that the means of Ireland herself were utterly exhausted. It appeared, according to the returns made by the Poor Law Commissioners, that the rateable value of property in Ireland was no less then 14,000,000*l.*, and it was generally understood to amount to as much as 20,000,000*l.*; but, until these returns were published, hon. Gentlemen connected with Ireland used to come down to the House and state that the rateable value of Irish property was not 10,000,000*l.*, and he even remembered one Gentleman asserting that it was not more than 6,000,000*l.* He considered that as the rateable property in Ireland was so considerable, it was somewhat hard to tax the poor people of this country for the support of the Irish people, when Ireland possessed amply sufficient property to maintain its own poor. He was, therefore, prepared to vote against the Amendment. With regard to the speech of the hon. and learned Member for Kilkenny (Mr. J. O'Connell), he could only say, that believing that further powers for the repression of crime must be granted to that excellent man, the present Lord Lieutenant of Ireland, who had shown the utmost anxiety to do everything that would promote the welfare of that country, he should be happy to give his assistance to the Government whenever they might call upon him to support a measure with such an object.

Mr. MAURICE O'CONNELL said, that the speech of the hon. Baronet who had just sat down, and which had been listened to with so much attention, and had elicited the applause of the House, was precisely that description of speech which was calculated to excite the feelings of the Irish people. The hon. Baronet had been pleased, in the early part of his Address, to be facetious upon certain statements which had been made by his (Mr. M. O'Connell's) brother at the meetings of certain associations in Ireland; and he had been particularly facetious on his brother's (Mr. John O'Connell's) declaration, that sooner than suffer a Coercion Bill to pass he would die upon the floor of the House. He (Mr. M. O'Connell) must say he did not think such a necessity would ever arise. He believed the Irish Members understood how to defeat a Coercion Bill now as they had done before; and, with the blessing of God upon their efforts, they would defeat any such measure. He hoped Her Majesty's Ministers would listen to the counsels of more wise and experienced persons than the hon. Member for Marylebone (Sir B. Hall), and would thus relieve him and his friends from the necessity of opposing any measure of coercion they might bring forward. The hon. Baronet had assailed the character of the Irish priesthood, and had read the first part of the speech of one clergyman, and part of the evidence of another. He begged to say, notwithstanding the statements of the hon. Baronet, that the Catholic clergy had inculcated peace, good order, and submission to the laws, upon the people. He would ask whether, if the people of England had suffered the same privations, had been reduced to the same necessities, and had been exposed to the same cruelties as the people of Ireland, they would have remained quiet? What influence, he asked, could have been brought to bear upon the people of England which would have had the same effect upon them, under such circumstances, as the influence of the Catholic clergy had had upon the Irish people? And yet these priests were the men who were selected by the hon. Baronet as the subject of his denunciations in that House. The Address issued in 1762, which had been referred to by the hon. Baronet, stated that the Catholic clergy were bound to preserve peace and order, and this they had done. The great mass of the people had obeyed them, and the clergy had preserved peace and order from 1762 to 1846. Did hon. Gentlemen mean to say that the great mass of the people of Ireland had not been obedient to the laws? Would they venture to say that the Catholic priests of Ireland had not inculcated submission to the laws, and that three-fourths of the people had not obeyed them? Why, against what portion of the country was it pretended that coercive measures were required? Professedly against only six out of thirty-two counties; and yet hon. Gentlemen met him with a laugh, when he told them that three-fourths of the people

of Ireland had been obedient to the laws. That laugh, and the speech of the hon. Baronet who last addressed the House, showed how little was known in that House and in England of the state of Ireland and of the feeling of the people; and he must say he believed that the speech of the hon. Baronet would not tend to remove any portion of the acerbity which might exist in the minds of the Irish people against the present Government and the rule of England. What, he would ask, had called into existence those three or four societies in Ireland to which the hon. Baronet had referred? What was it but the misdirected efforts of the English Legislature; what was it but their having taken a wrong course, and having proposed coercion rather than amendment of the law? The hon. Baronet had stated that 10,000,000*l.* had been sent over to Ireland last year; but he wished the hon. Gentleman had favoured them with some sort of evidence in support of his assertion. He was satisfied that the entire amount expended in Ireland did not reach one-fifth of the sum mentioned by the hon. Baronet; and a very considerable portion of that amount was subtracted for the payment of the army of 15,000 men who were employed in the distribution of relief. With regard to the Amendment before the House, the objection of Irish Members, on the remedial point, was this —that the Address asserted what they knew to be incorrect, that the poor-law measure of last Session, in conjunction with the others, would be sufficient to afford the necessary quantity of relief to the destitute. He did not attend in the House last Session, because he conceived it was right to be absent; and he who was gone had put it upon him as a sacred duty that he should remain in Ireland amongst his late father's people, and examine into the state of the tenantry, and contribute in every possible method to their relief. Those efforts, thank God, with the aid received from various quarters, were successful: that portion of the country was, as it had always been, decent; it was in a better state than almost any other district in Ireland. But the returns which had been made out, or would be, to be laid before the House, would show that in that district, taking the whole of it, there was not on an average two months' provision for the people. Regarding this as a sample, how could the means of subsistence be eked out by the people for the period that must elape before next harvest? Where were they to get seed? How were they to manage their land? To be sure, they had an agricultural lecturer sent down, but he did not understand a word of their language; for the prevailing language of the district was Irish, and he might as well have lectured in Hebrew as in English. Let those returns be laid upon the table; let coercive measures be postponed till then; let the state of Ireland be ascertained, owing to the defective crops, the short sowing of potatoes, the pressure of the misery of last year and the year before; and if, after that examination, hon. Members could conscientiously say that the people were likely to be relieved by any poor-law that could be passed, let it be worked out, and let every property in the country be sacrificed till it had been worked out; he, for one, would not shrink from his part. But if the House found from those returns that there was no probability of a sufficiency of food, would they refuse to make an advance, and supply the deficiency? Let them take the estate of the landlord if they pleased, and make him answerable for what they would; but above all things let them not starve the people, and least of all for a crotchet. Taking the average of Ireland, it would be found that there was no resident landlord who had not more than a year's rent due to him, and who had not sacrificed, and was ready to sacrifice, at all events, 25 or 50 per cent to enable the people to get through their difficulty. People talked of an estimated rental of so many millions; but there was not 6,000,000*l.* of it spent in the country. Irish members were turned back invariably without that for which they came here; and they saw those who sneered at them, or met them with long strings of figures, raised to high office, and honoured with peerages, perhaps: who could wonder that there should be excitement in Ireland? The hon. Baronet (Sir B. Hall) read the address of 1762. If he would look to the addresses of the present priesthood from the altars; if he could be amongst them, and hear those addresses; if he would attend to the injunctions of their bishops, their pastoral letters published twice or thrice a year; or if he would even condescend to read the conclusion of the speech of Archdeacon Laffan to which the hon. Member referred—but it would not suit his case—the hon. Member would find that the very crimes he attributed to the priesthood, as the exciters of them, were universally denounced, and that if there was violent language on the part of an individual,

it was excited by the calumnies heaped here in former days, and elsewhere constantly, not only upon the people, but upon the priesthood. If there should have been an alteration in the tone of the priesthood since 1762, was it to be wondered at? In 1762 they were loyal; during the war the Catholic people of Ireland were supereminently loyal and obedient to the law; and now, after twenty years of peace, when the state of the people was found to be not better—not so good as it was in 1762 with the exception of their political privileges, was it to be wondered at that they should be excited, and that the successors of those clergy should not be as quiet and as passive instruments as when their hopes were still young, and their expectations unclouded?

Mr. W. S. CRAWFORD would not have trespassed on the attention of the House in this debate, were it not for the interest he took in one of the questions raised—the relations of landlord and tenant in Ireland. He had heard from the Home Secretary that Ireland was not to be without hope that a measure on that subject would be brought forward by the Government. That declaration, however, was very unsatisfactory, for at the commencement of last Session the then Secretary for Ireland told the House the same; and over and over again, during the Session, the subject was stated to be under the anxious consideration of the Government, and yet the Session passed and nothing was done. It was right that the attention of Parliament should be called to the neglect of British Legislatures and Governments on this head, after they had indelibly written in their own records for upwards of twenty years past that the relation of landlord and tenant in Ireland was the cause of the sufferings and disorders in that country. The Committee of 1825 put as the first measure to be attended to by the House, a remedy for the defective state of the law of landlord and tenant in Ireland; the Committee in 1830 said the same thing; in 1836 the Poor Law Commissioners reported a mass of evidence to the same result; and then there was afterwards the Land Commission with all its evidence. Had not the Governments and Legislatures of England been responsible for the neglect of this important subject? Were not the present Government under a deep responsibility for the blood shed within the last six months? His firm belief was, that if a proper measure had been brought forward and carried through the House in the last Session, we should not have had one of the murders which had disgraced the country. He would therefore put it to the present Government to consider that responsibility, and no longer to trifle with this great question. What was the cause of the disorders of Ireland, but the disregard of the rights of property? We heard of the sacred rights of property; but were there no rights of poverty? Had the poor man no rights of property? But the rights of labour were not secured. English Members had no idea how the Irish tenant was situated, because they would have no idea of placing their own tenants in such a situation. The landlords of England did not expect their tenants to sit down upon a bare sod, without a house or the means of cultivating the land; they did not expect a tenant to farm land without improving it; and if he did improve it, they would not claim to turn him out without any compensation for what he had done. But that was the fate of the poor tenant in the greater part of Ireland. He sat down upon a bare sod; he had to make the necessary outlay, and therefore he had reason to expect that he should be allowed the reward of his labour expended on the land, and a return for the beneficial interest he had created. The people of Ireland considered that the promises of this House had been broken, and they were never to expect any fulfilment of promises made by British Governments or British Legislatures. During the Government of the right hon. Baronet (Sir R. Peel) two Bills were brought in relating to this subject, and one of them was still before the House when he left office; the noble Lord (Lord J. Russell) then stated that the question would be considered by the present Government, and that early in the next Session a Bill should be brought in; so that the noble Lord was under a double pledge and engagement not longer to neglect this subject. The consequence of the relation of landlord and tenant in Ireland being allowed to continue as at present, was that the tenants considered the landlords as tyrants, and the people felt themselves slaves, and there was a want of confidence between them. If the Government would refer to the evidence before the Land Commission, and see how the tenants fared under all the machinery of landlordism, they would not be astonished at the disorder that pervaded the greater part of Ireland. The people were told to have

self-reliance; how could they when they did not know that they might not be turned out in six months; and in many cases were the more certain to bo turned out if they made improvements? Secure the tenant his interest in the land, and you would produce benefits never yet known in Ireland. Confidence existed in the part of the county of Down with which he was connected; and there was not an able-bodied man unemployed there, nor any difficulty in providing for the poor. The tenant-right was now established by law in the north of Ireland against third parties; and inquisitions for awarding damages to be paid by railway companies requiring the land had been held, and the interest of the tenant-at-will had been paid for at a rate settled by a public legal decision. What the tenants required in that part was, that they should have the same right against their landlords. He had brought in several Bills, which, perhaps, he had made too complicated in his anxiety to remove objections; but he was now of opinion that the simpler the measure the better. It was not for him to go into details. His object was to impress upon the House and the Government that no matter what means they took, they never would obtain security for property, or peace and good order in Ireland, until they went to the root of the evil which he had pointed out, and remedied the grievance which the tenants suffered, arising from the present relations in which the landlords and tenants stood towards each other. On some estates in the south of Ireland it was the custom to give the tenants notice to quit every six months, in order to keep them under the power of the landlord. Was it possible there could be any improvement of the land under such circumstances? He wished to point out another important consideration. The Government had intimated that a measure would be introduced affecting this very question; the result was, that even those landlords who were willing to grant leases withheld from doing so in consequence of the uncertainty of the law. What was the consequence? Many persons were deprived of the franchise, and the number qualified to act as jurors was inconveniently diminished. It was, he was aware, perfectly useless for any private individual to bring forward a question of this important nature with a view to its enactment. For it to be successful it must be undertaken by the Government; and his object now was to call upon them to discharge their duty in that respect. A proposal had been made by the Lord Lieutenant to send forth lecturers to improve the people of Ireland in their knowledge of agriculture. He gave the noble Lord full credit for the good intention with which he made the proposition; but it was impossible any such plan could be of the least avail until the tenant should obtain security that he would be compensated for the improvements effected by him. No man would think of improving an estate until he possessed that security. He did not pretend that any measure could be introduced that would at once effect any very great improvement in the condition of the people of Ireland; but this he would maintain, that some enactment on the landlord and tenant question was absolutely necessary as a groundwork for all further improvement. No man was more anxious than he was to give the Government any power they could justly call for to put down that dreadful assassinating principle which prevailed in some parts of Ireland; but he would not delude the Government, the House, or the British nation by inducing them for a moment to entertain the idea that it could be put down by any coercive measure. If a coercive measure were to go hand in hand with some properly-devised ameliorating measures, then he would willingly accede to any proposition of that kind; but he would in no degree consent to give the Government coercive powers without some subsequent measures of an improving character being finally substituted for them. With regard to the existing poor-law in Ireland, he entertained serious doubts whether it was a measure calculated to answer the purpose for which it was intended; at all events, to meet the present state of distress in that country. At the same time he could not sanction the proposition for drawing from the public funds the means required as a substitute for that inefficient poor-law. He was perfectly certain that there were resources in Ireland, sufficient both for employing and feeding the people, if those resources were brought into action. He should be the last man to agree to a proposal which should take from the distressed working classes of England those scanty means which they now possessed, in order to support the poor of Ireland, and thereby relieve the property of that country from those liabilities which justly devolved upon it.

Mr. MAHER rose to reply to the ques-

tion which had been put to him by the hon. Baronet the Member for Marylebone, as being one of those Members who were present at the meeting held at Cashel the other day. The hon. Baronet asked whether he heard the speech made by the Rev. Archdeacon Laffan at that meeting. He begged to state, that he did hear that rev. gentleman make the speech alluded to by the hon. Baronet. In its commencement it certainly was an intemperate speech; and if the rev. gentleman had continued in the same strain as he commenced, he should have felt it his duty, as chairman, to have remonstrated with him, and have prevented his proceeding. But the rev. gentleman in the conclusion of his speech advised the people to obey the laws; and he appealed to the Members of Parliament who were present at the meeting to promote all measures that would tend to preserve peace and good order, and assist in handing over to the civil power all who were perpetrators of crime. With respect to the manner in which the rev. gentleman referred to discharged his ministerial duties, he could affirm that there was not a more peaceable parish in all Ireland than the one in which Archdeacon Laffan resided. He had assisted that rev. gentleman to suppress a faction in the parish of which he was the curate, in the county of Tipperary; and he had seen that rev. gentleman take into custody the leaders of that faction, and hand them over to the authorities to be dealt with according to law. On one occasion, a clergyman in the town of Thurles came to him, and gave him information of certain parties who were at that time suspected of levying contributions to support some persons who were supposed to have done a good work in attacking a certain landlord. He immediately informed the civil authorities; the parties were at once detected in the very act of committing the crime; they were brought to trial and convicted. That clergyman was the same individual from whose speech the hon. Baronet had this evening, for his own special purposes, selected a particular portion on which to comment; but which speech, if he had read throughout, he would have found was not of that dangerous character he would seem to ascribe to it.

Sir W. SOMERVILLE said, that after having listened with attention to the speech of his hon. Friend the Member for Meath (Mr. H. Grattan), and to the speeches of his hon. Friends the Members for Cork and Rochdale, he must say, that he considered that no Amendment could be less necessary than the one which had now been proposed. He certainly had entertained the hope, after the speech of his right hon. Friend the Secretary of State for the Home Department, that his hon. Friend the Member for Meath would have felt inclined to adopt that course which appeared on the present occasion to be the most proper, and would have withdrawn the Amendment. His hon. Friend had entered at large into the subject of the state of Ireland, and had endeavoured to trace to its source the cause of crime in that country; and the conclusion at which his hon. Friend had arrived was, that the distress which universally prevailed in Ireland was the real cause of crime. Both with regard to the extent of the distress, and the enormity of the crime that existed in Ireland, he (Sir W. Somerville) wished it was in his power to state that the extent of the crime of which they had all read and heard so much, had been exaggerated, and that the state of distress had been greatly overdrawn; but, unfortunately, he was not in a condition to contradict the statement as to the extent of crime that existed, or to declare that the picture drawn of the distress was overcharged. But while they were referring to the state of crime in Ireland, there was this consolation—that that crime was of a very local character; it was confined to a part of King's County, and the counties of Limerick, Clare, Roscommon, and Tipperary. It also partook of this most remarkable feature—that it resulted from a spirit of resistance to the payment of rent. Formerly, when they took into consideration the statistics of crime in Ireland, they used to hear, even from the landlords, the hardship of dispossessing the people of their holdings. At that period, whenever the landlords came forward, it was not to assist in dispossessing the people, but simply to demand a fair rent, as agreed upon between the parties. At the close of 1846, though outrages were very frequent in Ireland, they were mostly connected with the distress at that time prevailing. There was plundering of provisions, slaughtering of cattle, and crimes of that description which distress and want alone accounted for; but agrarian crimes were less. With the loss of that root upon which the population of Ireland mainly depended, seemed to have passed away that love for land which had always been a strong characteristic of the people;

but new hopes had since been raised, and a change had taken place in the feelings of the population in regard to land. Add to this, that emigration, which was so popular during the last year, had become unpopular in this. Many reasons might be assigned for this change of feeling among the people. Fever attacked the emigrants when on board ship, and fever attended them to the shores to which they had gone. These accounts reached their friends at home; it could not, therefore, be a matter of surprise, that under such circumstances emigration should become unpopular, and that the people should ponder well before they left their native shores. There was also this additional feature in the state of crime as it now existed, that the crimes were committed by armed bodies of men to an extent much greater than formerly. His hon. Friend had said, that the law, as it at present stood, had not been put in force by the Executive Government. On what ground did his hon. Friend rest that assertion? He did not know; but this he did know, that there never had existed a period when the law had been put in force with greater vigour than it had been by the present Government. Then, with regard to the issuing of a Special Commission. Of this he was quite certain, that whenever sufficient evidence of the guilt of the parties should be collected, and a sufficient number of prisoners should be put into gaol to warrant a chance of a conviction, the Lord Lieutenant would not delay a single hour in issuing a Special Commission. But what was the real state of the case? The murderers of Mr. Roe, of Major Mahon, of Mr. Lucas, and of Mr. Bayly, up to the present moment had not been apprehended; his hon. Friend would therefore at once see that the issuing of a Special Commission under such circumstances would be of no avail; and where the evidence would not warrant such a step, instead of its having a good effect, it would be mischievous. His hon. Friend was in error to suppose that it was in the power of the Lord Lieutenant to issue Special Commissions *ad libitum;* and if his hon. Friend, before charging the Government with attempting to introduce measures of severity in order to suppress crime in Ireland, would have patience and see what those measures were to be, he might find reason to believe that it was possible to devise measures which should not outrage the feelings of the people, and yet might have the effect of suppressing crime in Ireland. The course adopted in Mr. Roe's case—that of protecting those who were engaged in a lawful object, namely, the collection of rent—not by interposing or aiding in raising that rent, but simply protecting from violence those who were so engaged—the adoption of that step was attended with the best effect. It was, at the same time, a course perfectly novel, and he believed it would be the means of inducing persons, who possessed the legal power to discharge those trusts which they sometimes now refused to do. He would now turn to another topic adverted to by his hon. Friend—namely, the distress which existed in Ireland. He grieved to say, that no one could possibly exaggerate a description of the sufferings which the people of Ireland had passed through during the last year. He felt that he could fairly allude to that subject without in the least palliating the crime which they all deplored, because it did so happen that those districts where crime was most rife were not the districts in which distress most existed. While, therefore, they gave vent to those feelings of indignation which the people of England naturally felt at the contemplation of the crimes committed in Ireland, let them not forget to offer their meed of approbation to those suffering people in the western districts who had been visited with a calamity such as had never befallen any nation before, and who had borne all their miseries and sorrows with a patience and a forbearance worthy of every commendation, and without the commission of any crime. The crisis of last year left the great mass of the people without the ordinary means of support. The small farmers, and indeed many of the more wealthy farmers, were obliged to part with their capital in order to supply themselves with food. The landlord in many instances received no rents; the labouring population lost their employment, and in thousands of cases were unable to procure subsistence. It was hardly too much to say, that in such a state of things society itself was in a state of disorganisation. What was the course which the Government pursued? It proposed an Act which had since been called the Rations Act. By that Act the Government undertook to feed almost the entire population of Ireland. It might not be uninteresting to the House if he read to them a few extracts from official documents, stating the number of people who were receiving rations in one single week under that Act.

The number receiving gratuitous rations in Ireland in one week in July, 1847, was 2,569,926. He believed that no Act of Parliament ever was passed that was more effectual for its object than the Act of the last year. Upon principle it was perhaps a perilous thing for the Government to undertake the feeding of an entire population; but peculiar circumstances having forced it upon the Government, and they having undertaken it, he believed it was the most successful Act that ever was passed, and that it was carried out in the most satisfactory manner. The persons who were employed in Ireland in carrying that Act into effect performed their duties in an efficient manner, and he believed that in no instance had there occurred a case of fraud or pecuniary defalcation with respect to any of the individuals so employed. That was a most satisfactory circumstance. The harvest generally had been abundant, though the quantity of potatoes sown last year was very small. In ordinary years the value of the potato crop was estimated at 15,000,000*l.* or 16,000,000*l.*; but this year 4,000,000*l.* was, perhaps, the utmost of its value. It was under these circumstances—the expiration of the temporary Act of last year, and the gathering in of a comparatively plenteous harvest—the Government was called upon to put in force the new poor-law, no other means of relief being left for the destitute poor of Ireland. It had been said that that law was unsuccessful, but he dissented from that representation. No doubt the period at which the law was first brought into operation was unfortunate, looking to the vast amount of destitution which prevailed throughout the country; but considering all the difficulties with which its administrators had to contend, the success of the law had exceeded his expectations as well as the expectations of others, who, it was true, had not entertained such favourable hopes of it as he had. Considering the crisis through which Ireland had passed, it was a great thing to be able to state that three-fourths of that country were self-supporting. He believed he was justified in stating that by means of the new poor-law three-fourths of Ireland were self-supporting. It was known that the distress which had afflicted the western districts of Ireland was not yet at an end; but the Government had adopted proper precautions by obtaining accurate information as to the prospects for the ensuing winter, and by appointing inspectors. It was perfectly true, as had been stated by an hon. Member who had spoken from that (the Ministerial side of the House), that in certain parts of Ireland the poor-law alone would not be sufficient for the relief of distress; but that was no reason for not pressing the provisions of the law as far as possible in those parts of the country in which it was adequate to the effectual relief of distress. It was due to the people of Ireland to show that they could depend on their own resources; and it was due to the people of England that they should be convinced that those resources had been been applied. He hoped that some means would be devised by which the people in certain parts of Ireland, to which he had referred, might be assisted through the crisis which still impended. The time for the consideration of that subject would arrive when the Government was convinced that the powers of the ordinary poor-law were insufficient to meet the urgency of the case. The hon. Member for Meath had said, that a number of boards of guardians had abandoned the duties imposed upon them by law; but he was not aware that a single board had thus abandoned its duty. Some boards had been dissolved; but there were circumstances connected with them which rendered it absolutely necessary they should be dissolved, irrespective of any voluntary abandonment of duty; and for his part he must venture to express a doubt whether it would be lawful for any board of guardians voluntarily to abandon a duty imposed upon it by Act of Parliament. The affairs of the unions of which the boards were dissolved were administered by paid commissioners; and it would be useless to deny that they had had great and almost overwhelming difficulties to contend with; nevertheless, those difficulties had been overcome, and although the affairs of those unions had not progressed as he could have wished in all respects, still nothing had occurred to demonstrate that the ordinary poor-law had failed. It had been the aim of the Government to carry the poor-law into effect in a manner to disarm all opposition. They had avoided enforcing the rules in a harsh and arbitrary manner, and it was to be hoped that by a continuance in the same course the law, which was now only beginning to take root in Ireland, would eventually become popular. Once more he requested his hon. Friend, before condemning the measures about to be introduced by the Government, to wait until

they had an opportunity of ascertaining whether they were of a harsh or unconstitutional nature. He might state that the crimes which it was intended to repress being of a local character, the remedy about to be applied would also be of a local character. Under these circumstances, he hoped that his hon. Friends would not think it expedient to press the Amendment which they had proposed. The hon. Member for Cork had alluded to the Irish Executive Government in no very complimentary terms; but he could assure the hon. Member that if he supposed that part of the Executive which sat in Dublin led an idle life, he was very much mistaken. He must declare to the hon. Member that the Irish Executive was actuated by an anxious desire to carry the law into effect with perfect impartiality; and he could further assure him that the police of Ireland was not the idle force he imagined it to be. On the contrary the police lead a most harassing, and, in their own opinion, a very hazardous life. An hon. Member had said, that he (Sir W. Somerville) had always shown himself the friend of Ireland before he joined the Government, and had remarked that he ought not to pursue a different course in consequence of having taken office. He did not know what he had done since he had taken office which could justify the hon. Member in making that observation. It was satisfactory to him to know that at the period of his taking office, the hon. Member conceived him entitled to the character which the hon. Member had given him; and it would indeed surprise him if he should ever do anything whilst he continued in office which would justly entitle him to an opposite character, or enable any person to say that his conduct had been guided by any but the most humane and kind feelings towards Ireland. Did he not entertain such feelings, he would be a most unworthy colleague of the Ministers with whom he had the honour to serve. Whatever mistakes hon. Members might think had been committed, either by Ministers or by the Parliament, no impartial man, either in or out of the House, could be of opinion that they had not been influenced by the best intentions, and the sincerest wish to confer upon the people of Ireland all the benefits which it was in their power to bestow. Having troubled the House with these observations, he would conclude by expressing a hope that the Amendment would be withdrawn.

Mr. STAFFORD * said, the wish expressed by the right hon. Gentleman who had just down was one in which he did not in the least concur. It was not to him of the slightest consequence whether the hon. Mover of the Amendment under consideration should see fit to withdraw his Motion or not; but he entirely agreed with some hon. Gentlemen who had spoken on the subject, who thought the Amendment ought to be withdrawn. Doubtless the hon. Member had, since bringing his Amendment forward, discovered that which a wise tactician ought to have discovered before, that a division would prove that whatever union might be between England and Ireland, there was a good deal of division on the other side of the Channel. He should give his support to the Address, and should wait to see what the measures were to be brought forward by her Majesty's Government, before he gave an opinion upon them. On the very mild and temperate speech which had just been addressed to the House, he would venture to offer a few comments, though not at all, as the right hon. Member for Drogheda would find, in the spirit of opposition; but he merely wished in the first place to remark on what he thought was a discrepancy between the statement of the right hon. Gentleman the Secretary of State for the Home Department and the statement of the right hon. Member for Drogheda, who appeared to think that the poor-law would be self-supporting in three-fourths of Ireland, though in the other quarter he considered there would be found a necessity for a grant from Government? He understood the right hon. Gentleman the Home Secretary to say that the funds of the British Association would be found available and sufficient to meet the difficulties that would arise. But if, as the right hon. Gentleman the Member for Drogheda said, the poor-law would not be found self-supporting in one-fourth of Ireland, and if, as the right hon. Gentleman the Home Secretary said, there would be no grant come from the Government, then he would ask what was to become of that one-fourth part of the people? But he should say that the success of the poor-law in three-fourths of Ireland, made as it was at a time of the greatest difficulty, and imposing as it did on the property of the country a burden of the most unprecedented

* This Gentleman sat in the preceding Parliament under the name of Mr. Stafford O'Brien.

magnitude, and such as in the annals of history they could find nothing like, except in times of declared revolution, he thought the success of that law did entitle the owners of property in Ireland, who, through their representatives in the last Parliament consented to that charge on property, and who, according to the admission of the Executive Government, had in the greater part of Ireland done their best to carry the law into operation, the especial protection of the Legislature. And when hon. Gentlemen spoke of the Government coming forward now in the old spirit of the Coercion Bills to put down outrages in Ireland, he would beg to remind them that the great difference between the past and the present occasions was, that now no person need by law starve in that country; and therefore they (the landlords) did ask and demand that the same Legislature which had enacted that law, and had imposed that tax upon them, ought now to enable the property of Ireland to fulfil its engagements, and to protect the poverty of Ireland by the enactment of laws which would serve the purposes of binding society together. The right hon. Gentleman the Member for Drogheda had stated that the peculiarity of the assassinations and the attempts at assassination at the present day, was that they were all connected with land. He would grant that these crimes were in the greater part connected with land, and with the collection of rates; but the right hon. Baronet should not deceive himself, or take too favourable a view of the state of society in that country. He ought not to remain under the impression that crimes tending to ensure the non-payment of rents would stop where they began. Let them look at the last murder, of which the account had reached London that morning—a murder committed in the county of Limerick, near to a property belonging to his (Mr. Stafford's) father, and which had nothing to do with the collection of rent. A farmer of the name of Dillon lent money to persons, from whom he found it impossible to get the money back. He accordingly went to Limerick to consult his law agent, and on his way home he was barbarously murdered. Many of these crimes were not at all connected with land or with the payment of rents, but they were connected with the possession of property; and, treat it as they would, disguise it as they would, the civil war—if he might be allowed to apply the phrase, though it was too mild a term for the system which prevailed—the civil war which now prevailed was a war against property; it took the form of resistance to rents, of resistance to rates, and of resistance to debts; and if they chose to thwart the endeavours of the Executive in their efforts to suppress that war, they would wrest the responsibility from the Government; and the reprobation of allowing such a state of things as that which now prevailed to continue would fall, not upon the Government who might bring in measures to repress these outrages—not on the portion of the House that were ready to support such measures, and to judge fairly of their merits, and who would not be deterred from doing their duty by the fear of being charged with supporting old Coercion Bills and old arbitrary codes—but it would fall an hon. Members who, by their opposition, might prevent such measures from passing into law. The evil which they to deal with in Ireland was not that of solitary assassination—it was not the solitary murder that they had to consider, but it was the system of connivance in these murders —the system, he might say, of sympathy with those assassinations and with those murders. It was this sympathy which supported crime, and which he was afraid would be found to prevail to a greater extent in Ireland that in any other country. They found that the criminal law in England acted well, because it met with the sympathies of the people, and because its execution was entrusted in the hands of the people, who believed that it was their safety and their defence; but when they came to apply the principle of that criminal law to Ireland, they found no sympathy in its favour, and none of those ends attained by it, which all parted with a portion of their natural liberty to obtain. He knew that some hon. Gentlemen opposite would say, "Bring round the sympathies of the people, do away with the oppression, the injustice, and the abuses that they are now subjected to, and you will then get the people of Ireland on the side of the law as they are in England." He, for one, never stood up in that House as the advocate of old abuses. He never denied that the landed proprietors were to a great extent deficient in their duty. He never opposed the introduction of a landlord and tenant law. He would receive with favour any measure the Government might bring in on that subject; but he felt at the same time that unless they meant to confiscate the property of Ireland,

and to sacrifice life in that country, they should bring forward measures to protect the one, and to defend the other. He did not speak of a law to protect the rich. He challenged any one who knew the country as well as he did to deny that the wish of the improving tenant, that the wish of the best class of farmers, and the desire of the honest frieze-coated peasant, were for some such protection as he now asked from the Government. Let them not imagine, because they read in large letters of the murder of a magistrate, that the system of terror and of alarm ceased there. Let them not imagine that because they saw resolutions passed at meetings of magistrates, or because they saw letters in the newspapers from persons in responsible positions, that there was not close by that spot a set of men to whom they had to look for the improvement of their agriculture, and for the amelioration of the tone of society and the bettering of the condition of their poorer brethren. The sympathies of that set of men were with them when they brought forward a measure to protect their properties, which though little, was dear to them, and to defend their lives. Therefore when he asked for strong measures, when he approved of all that Lord Clarendon had done for the protection of property and life, and when he said that he tendered to his Excellency and to the Government his hearty thanks, he did not believe that he stood there to vindicate the rights of the man only with a thousand acres, but he was also the advocate of the honest and industrious poor man. When hon. Gentlemen spoke of assassination being confined to the counties of Tipperary and Roscommon and a few more, and that they were caused by the system of ejectment which was carried on by the landlords, did they, he would ask, mean that ejectments were not enforced in other counties? Even if they proved that ejectments were most extensively enforced where murder was most rife, the case would still not be made out accounting for all these disturbances, and still less a case for opposing a law which was intended to extend not to the whole of Ireland, but which would invest in the Lord Lieutenant, in whom he, for one, had the greatest confidence, a discretion as to the districts to which the coercive measure was to be applied. He would, with the permission of the House, state the particulars of one crime which occurred in the district with which he was connected, and which would show the state of society in that part of the country. He knew that there were enormous crimes committed by individuals in every society; but still he thought the facts he was about to mention would give an idea of the state of feeling which prevailed in that part of Ireland in reference to crime and criminals. He alluded to the recent attempt to assassinate Mr. Bayly near Nenagh. Mr. Bayly was a man of whom he would only say that all who knew him would feel that any eulogy was unnecessary. He was a man—and he (Mr. Stafford) said it with grief, though he found it to be his duty in his place in Parliament not to conceal the fact—whose character was such as to affix a deeper shame and disgrace on the state of society in which an attempt could have been made to assassinate him. He was in Nenagh, and waited there until the shades of evening fell, in order that he might see the result of an experiment which he had been most anxious to carry out—namely, lighting the town with gas. He was returning home with his brother-in-law, Mr. Head, when two men were seen inside a wall, and on the other side of the road was a young country girl. The murderers fired. The shot entered the jaw, forcing some of the teeth through the other jaw, and splitting the tongue across. After the deed was perpetrated, Mr. Head heard the country girl, who had been evidently placed on the road to watch for Mr. Bayly, and convey the fact of his approach to the assassins by some signal, cry out, "Well done, boys; now make off as smart as you can." Mr. Head took the body of his brother-in-law into the house of a tenant hard by. The wretched man presented a spectacle horrible to see. There were people in the house who saw him, and yet when Mr. Head cried to them, "For God's sake go for a surgeon," he blushed for Tipperary—he blushed for human nature—to say that not a single soul would go for the surgeon, and the brother-in-law was himself obliged to leave the victim in torture and agony, and go himself to Nenagh to procure a surgeon. If Mr. Head had asked these people to pursue the murderers, and if they had refused, some excuse might be found for their conduct, much as their fear would be to be deplored; but he would leave it to the House to say, as men and as Christians, how they could reconcile it to their feelings to leave the country in such a state as that case, which they knew was not a solitary one, would exhibit. For himself he lived without barred windows and

without bolted doors, and he never had a threatening notice sent to him, or an attempt made to assassinate him; but he did not speak the less strongly on that account. He left the system which he had described to be dealt with by the House. The Government had acted wisely in calling Parliament together, and on that House now rested the responsibility of further measures.

Mr. O'CONNOR thought the speech just delivered by the hon. Member for Northamptonshire was most ungenerous and most unfair, for if he were to describe murders committed in England he too might harrow up the feelings of the House. But English Gentlemen would not therefore seek for measures beyond the law to put down such crimes in England. No man was more anxious to repress crime in Ireland than he was, and more ready to assist the Government in putting down crime provided that the Government were determined that there should not be a recurrence of crime. They heard of coercion being asked for Ireland, but improvement was never proposed by Her Majesty's Ministers. There was tranquillity in starvation, and quiet in the grave, and as long as these could be obtained there would be no improvement. The power of the Government was sufficient to repress crime, and there was no necessity for coercion beyond the law. The cause of crime in Ireland was misgovernment. He had determined to abide by the proposition of the right hon. Baronet (Sir G. Grey) who had stated that there would be ample time to discuss these subjects; and he should not have risen but for the harrowing and unfair speech of the hon. Member for Northamptonshire. He asked the Government to solve this problem for him, and until they did, they would be justly chargeable with every crime committed in Ireland. How did it happen that with a genial climate, an industrious people, and a fertile soil, the Irish people, in this age of progress, were so far behind other nations not so highly favoured—that they alone were retrograding, while other countries were progressing in civilisation? He would solve the problem for them. It was because they had been disinherited class after class, until the Government were obliged to ask for Coercion Bills, as salves for the wounds themselves had made. What did Government propose with a view of preventing the necessity of other Coercion Bills? Why did they not propose their remedies first? The Government had first disinherited the Church; they fed the landlords upon 25 per cent of the Church property; the free-trade party were then allowed to feed upon the landlords; and now the hon. Member for Northamptonshire had said the landlords were not able to feed the people without the help of Government. The landlords had it in their power, he maintained, to discharge their duty to the people to-morrow if they chose. There was just one master grievance in Ireland; and if that were removed, it would do a thousand times more good than setting the people to knock down hills and dig holes. Give the tenantry perpetual tenures and corn-rents, and all would be right; and, until they did that, the Irish people would be eternally coming to the Government for assistance, and the landlords for Coercion Bills. They were constantly hearing of the virtues of every man who was murdered, and the valour of the landlords; but they ought not to forget the starvation and sufferings of the people. Members ought to remember their own avowal, that there was no other employment but on the land in Ireland, and that land must be had to subsist. He could not join in the eulogiums on the Irish landlords. They were not to be compared for a moment to the English landlords. And what was the reason? The reason was, that most of their estates were mortgaged; and their management was handed over to middlemen, in order that they themselves might reside in England; and those middlemen oppressed the tenantry. He entreated the Irish Members to sink all their differences, and unite together for the benefit of Ireland; and, if necessary, he would join them in opposing the attempt of Government to inflict a Coercion Bill on Ireland until they showed the remedies they had to propose. He should consider himself as a soldier in the cause of Ireland, although not now resident there, and he would sit in that House, stand in that House, and sleep in that House until they succeeded. How could they hope that the Catholic population, the outlawed population of Ireland, would all at once come to recognise and respect the law? It would, indeed, take generations to reconcile them to the law; but let the Government proceed peaceably and progressively, and they would arrive in course of time at this desirable result without coercion. Coercion Bills would only check their progress towards it. It was a melancholy

thing to think that to-morrow, on 'Change, the report of a new Coercion Bill for Ireland would raise Consols two per cent. Ireland was the battle-ground of the Stock Exchange ; and Government was obliged to have recourse to Coercion Bills as a means of propping themselves up. Instead of passing Coercion Bills, let them set the people to cultivate the land. The land was something. Let the Government proceed to base their measures on a reality, and not a fiction. He would quote the motto of the right hon. Member for Tamworth—"The science of agriculture was only in its infancy." He had made this a household word in every cottage in England. He begged them not to talk to him of over-population, and emigration, and poor-laws, while one acre of land in the country remained uncultivated. If when the land was cultivated to its utmost extent, emigration should be found to be necessary, he would agree to some measure of that kind, but not till then. He considered that the present Government not likely long to retain their places, because they were the weakest party in the House; and the proposed measures would not add to their strength. He was willing to give his cordial support to every measure which was for the good of the people ; but he should oppose every measure they brought forward, because he had no faith in them. He repeated that he was ready to give his support to every measure that should be propounded for the good of the country; but, as the Government were not likely to propound one of that nature, he should give them his decided opposition. He thought that a good reason, a good notice, and good logic.

Mr. GRATTAN, after the statement of the hon. Member for Drogheda (Sir W. Somerville), as to the intentions of Government, begged to withdraw his Amendment.

Amendment withdrawn.

Mr. HERRIES wished to refer to a part of Her Majesty's Speech which had excited no observation, although in point of fact it was the most prominent part of it, and referred apparently to the cause of the House being assembled at such an unusual period of the year. Whether other circumstances mtght not also have prevailed to occasion that earlier attendance, he did not pretend to say; but, independently of them, the commercial distress which had recently pressed upon the country, and which he wished he could say did not now prevail, and the interference which Her Majesty's Government felt themselves under the necessity of making, for the purpose of averting, perhaps, a greater calamity than ever had occurred in the commercial history of this country—this was a subject which appeared to him to require more notice on the part of some of the Members of Her Majesty's Government than any one had yet paid to it. There were some very remarkable circumstances connected with the first paragraph of Her Majesty's Speech. It recorded not only the fact of the alarming state of public credit in the country, but also that Her Majesty's Ministers, acting, as he really believed, on a very just view of their responsibility, did interfere, and he thought wisely, at a very critical moment, to avert the calamity that was impending on us. He gave the Government credit for that interference. He thought that if they had not interposed they would have failed to discharge a very important duty. The position of affairs was this, that the Bank of England, under existing circumstances, was incapable of giving the commercial world that relief and assistance without which, in all human probability, the law of 1844 would have occasioned that calamity to which he had referred. The proceedings of the Government were, of course, irregular in their character. Parliament not being assembled, the Members of the Government, stating that they did so in consequence of a determination at which the Government had arrived, proposed to the Bank of England to do what, without such a statement, and an accompanying assurance that on certain events happening they would be indemnified by Parliament, would not have been done. The Bank of England, receiving that suggestion, acquiesced in it, as they were bound to do. If they had not acted upon it, the responsibility on them would have been tremendous. They did act upon that suggestion, and the public in general believed that this measure saved the public credit, and that through it we were now enabled to congratulate ourselves with an expectation that the worst dangers were passed by. Such being the state of things, he certainly did expect, on the part of Her Majesty's Government, that they would at least have given the House all the papers and documents relating to this, as they said themselves in their communication with the Bank, most extraordinary measure. He expected that they would have applied at

the earliest possible period for the sanction of the House for what they had done. He did not suppose it possible, nor was he yet prepared to believe that Her Majesty's Government, because the Bank had not actually exceeded the issues which under the Act of 1844 they were enabled to make, would maintain that there had been no infringement of the law. He was unwilling to impute to Her Majesty's Government anything like subterfuge or sharp practice. To say that authorising the Bank of England to do that which they could not have done, and would not have done, without the authority given them by the Government, was not a contravention of the Act, was absurd. He would, however, at all events say to Her Majesty's Ministers, that the House ought to have a full account of the state of things at the Bank when they put forward the notice suggested by the Government. They had at present nothing but newspaper accounts of the transaction, and they had no authentic copy of what had passed between the Bank and the Government. The House should have been told by some Member of the Government that information on the subject should be supplied; and it was not till he saw the House actually proceeding to a division that he ventured to rise and draw attention to this very singular state of things. If it had been intended to give the House more information on the subject, he thought that it should have been given before a division was demanded. There was a Motion announced to the House for a Committee on this question; but the terms of the notice did not justify the inference that what had already taken place between the Government and the Bank would be the subject of inquiry. The notice was given by his right hon. Friend the Chancellor of the Exchequer; and he had no reason to think that his right hon. Friend had any intention of bringing this matter under discussion. He was not prepared to offer any objection to the measure itself; on the contrary, he thought that it was imperatively required. But surely such a departure from the law, under the authority of Government, on the part of the Bank, should come under the solemn consideration of the House, and should either be formally approved or disapproved of by it. There was another, too, connected with this matter, not adverted to, indeed, in the Speech, but in those letters which appeared in the public papers, representing that a communication had taken place between Her Majesty's Ministers and the Bank. It was stated that Government had recommended that the rate of interest should be fixed at as high a rate as 8 per cent, and that part of the profit arising out of this high rate of interest should be appropriated to the public service. What part of those profits the public was to derive, what arrangements had been made, and to what extent the Bank had acted on the suggestions of the Government, and had discounted at the rate of 8 per cent, remained yet to be told to the House. He was sure he need hardly say, in the presence of such a statesman as the noble Lord at the head of Her Majesty's Government, that the act of raising money without the authority of Parliament was an unconstitutional act, and in every case in which it occurred required the special approbation and confirmation of Parliament. It had been suggested in the public papers that, inasmuch as the Act of 1844 had not actually been infringed, this part of the proposed arrangement with the Bank would not be effected; but if he read right, the letter referred to all the advances made by the Bank under the authority of the letter of license issued by the Government. That was the point which he thought should have been adverted to and explained by some Member of the Government before the debate closed; but he need not say more now, as he felt certain that that explanation would be given. It had been said that no indemnity was required; but he was sure that a sanction on the part of Parliament ought to be given before this measure could be considered a lawful and justifiable measure on the part of the Government. It would be premature to enter now into discussion upon the merits of the Bill, as that subject would be fully considered when the Motion was made for the appointment of the Committee; but he wished to know from the Government whether, in the present state of commercial distress, they would venture to proceed, without some intermediate suspension of the measure of 1844, upon an inquiry which would probably not be a short one—whether they would leave things as they were at present, subject to a recurrence—which, however, he sincerely hoped might not be the case—of similar evils at no distant period, and from the chance of which the country might now be relieved. The favourable turn in commercial affairs had been at-

tributed to the measures of Her Majesty's Government; and he was very willing to believe that those measures had tended to produce that effect. But the Bank had been reduced to a very low ebb in notes; and although their coffers, which had been so nearly empty, were now largely replenished, yet the same thing might happen again; and if such were to be the case, were we to depend upon the Government taking the same course they had before taken; or were they prepared to take some measures now to prevent the recurrence of the same evil, before entering upon an inquiry which might possibly be drawn out to a considereble extent? He merely threw this out as a suggestion to the Government. He had thought it right to draw the attention of the House and the Government to what appeared to him to have been an omission on the part of the Ministers in the course of the debate; and hoped that, before the close of the discussion, some more satisfactory explanation would be given.

The CHANCELLOR OF THE EXCHEQUER: My right hon. Friend, if he will allow me so to call him, must see, from the turn this debate has taken, that it was scarcely possible the explanations he wished to hear could have been given, and that what has been, in fact, an Irish debate, was not an opportunity for making financial statements. He will, I think, acknowledge, that it would not have been a convenient course to mix up these two subjects; and, I trust, will hold me excused for not having made a speech as to commercial affairs upon an Amendment of this kind. I certainly had conceived it most probable that the conduct which the Government has pursued in this matter would give rise to some observations to-night, and accordingly I came down prepared. I admit that the House is fully entitled to an explanation on the part of the Government. The House has a full right to expect it at our hands. But I think they will not consider it necessary for me to give it now. The subject might give rise to a discussion of some length, which would be inconvenient at this time of the night. Whenever the proper opportunity shall occur—certainly on Tuesday next, if not before—I shall be ready to state the views of the Government, and give the fullest explanations which the House can desire. I will only say on the present occasion, that I am glad the right hon. Gentleman approves of the course we have taken. That course has not—although it might have—led to any infringement of the law; but still the Government felt it to be their duty to call Parliament together at the earliest possible opportunity, for the purpose of asking for a Bill of Indemnity, if required; but, at all events, to give the Legislature an opportunity of expressing an opinion upon our conduct. It is not the intention of the Government to submit any Motion to the House. With respect to the papers alluded to by the right hon. Gentleman, it was impossible for us, consistently with the forms of the House, either to lay them on the table or to make a Motion for their production; but we should be guilty of great dereliction of duty if we did not produce them at the earliest possible opportunity. The letter to the Bank has been withdrawn. The reserve in the Bank is now upwards of 5,000,000*l.*; the bullion in the Bank amounts to 10,250,000*l.* These circumstances are sufficient to inspire the whole commercial world with confidence, and I do not think that it is now necessary to continue that letter. Parliament is now assembled, and the Government has the power of applying for legislative sanction to any measure which an unforeseen emergency may require.

Motion agreed to, and Committee appointed to draw up an Address.

House adjourned at a quarter past Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, November 24, 1847.

MINUTES.] PETITIONS PRESENTED. From Mr. Cardwell, and other hon. Members, from various places, against, and by Dr. Bowring, from the Unitarian Society in the South of England, for, the Removal of Jewish Disabilities. —By Mr. Ewart, from New South Wales, against Renewal of Transportation to that Colony.—By Mr. Macgregor, from Glasgow, for Alteration of Law, Bank of England; from Glasgow, for Alteration of Law, Railways.

THE POOR LAW COMMISSION.

MR. BANKES wished to know from the noble Lord at the head of the Government, who had been appointed Head Commissioner of the New Poor Law; what was the date of his appointment; and who were responsible for the operations of the Commission up to the date of his appointment?

LORD JOHN RUSSELL said, that no appointment of Chief Commissioner had yet taken place; and by an Order in Council, made by Her Majesty, the Commissioners under the former Act were responsible for the administration of the Poor Law.

THE UNDER-SECRETARY FOR THE COLONIES.

MR. C. ANSTEY wished to know whether Mr. Stephen had really retired from the office of Under Secretary for the Colonies, and whether Mr. Merivale had been appointed in his stead; or whether Mr. Stephen was still Under-Secretary for the Colonies?

LORD J. RUSSELL said, Mr. Stephen had obtained leave of absence for a time, on account of ill health. In his absence Mr. Merivale, the Under-Assistant Secretary of State for the Colonies occupied his place.

ADMIRAL NAPIER'S PORTUGUESE PENSION.

VISCOUNT INGESTRE wished to ask the hon. Gentleman the Secretary for the Admiralty whether there was any foundation for the report that Admiral Napier had employed the influence of his position in order to obtain the arrears of salary due to him by the Portuguese Government?

MR. WARD said, he was much indebted to the noble Lord for putting that question to him thus early on the meeting of Parliament. He was happy to say that he was in a position to lay before the House the most convincing proofs of the utter groundlessness of the report to which the noble Lord had alluded. Those proofs consisted of papers above all suspicion on account of the gentleman from whom they came, supported by the means which he possessed of ascertaining the real facts of the case. Sir Hamilton Seymour had addressed a letter upon the subject to the First Lord of the Treasury, with permission to make use of the document, and that letter he would now read. It ran as follows:—

"My Lord—As reports to the prejudice of the gallant Admiral, Sir C. Napier, have been inserted in some of the English newspapers, I am induced te trouble your Lordships with the following statement. Upon the arrival of the gallant Admiral at Lisbon, the Finance Minister expressed his regret that he was unable to pay him the arrears of his pension due to him, adding at the same time that he should make an effort to do so as soon as possible. The answer of Sir C. Napier was to this effect: 'That he had no wish to be paid before his companions, and that he would take his chance with the rest.' Sir C. Napier now acquaints me that four months' pension, out of the fifteen months then due, has been paid to him, and this amount only has been received. He further acquaints me that two months having elapsed since that part payment was made, thirteen months' payments are at the present moment due to him. The gallant Admiral is thus placed in the same position as every other person who has claims for pensions upon the Portuguese Government; he has not, therefore, abused the influence which his present position has given him. I do not hesitate to say that I should regret as a public calamity the occurrence of any thing upon the part of the gallant Admiral which should interrupt the great service he is now rendering to the country by the performance of his duties at the post to which he has been sent by the Government of this country. The services which he is there rendering are of great value, and will, I doubt not, be of great service to the country."

BANK CHARTER ACT.

LORD GEORGE BENTINCK wished to know whether it was the intention of Her Majesty's Government to give a full explanation to the House of those circumstances which induced Her Majesty to authorise Her Ministers to advise the Government to infringe the Bank Charter Act of 1844?

The CHANCELLOR OF THE EXCHEQUER: I stated last night in answer to the right hon. Gentleman who sits next to the noble Lord (Mr. J. C. Herries), that I was ready and prepared to make such a statement to the House as the Government thought it incumbent upon them to make. The late hour at which I spoke last night, rendered it clearly impossible that I should make that statement then; and when I stated that probably the most convenient opportunity for making it would be Tuesday next, it appeared to me that that proposition met with the general concurrence of the House. I took it, therefore, for granted that it was understood as settled that on Tuesday that statement should be made. Personally I am ready now, as I was ready last night, to make that statement; but I think it is not fair to the House to proceed with it now, after the general understanding which was come to last night. It is not usual to introduce subjects of this importance upon the report of the Address; still, if it had been so arranged last night, I should have been perfectly ready to proceed now; but I think it would be more consistent with the wishes of the House to defer my statement until Tuesday. I may add, that I have laid on the table of the House to-day the documents alluded to last evening by the right hon. Gentleman. Those papers will be printed, and I think it desirable that they should be in the hands of Members previous to the explanation being given.

REPORT ON THE ADDRESS.

The Report on the Address in answer to Her Majesty's most gracious Speech brought up and read. On the question that it be read a second time,

Mr. OSBORNE believed it was perfectly in accordance with the forms of the House, to make a few observations upon the Speech which had been delivered to them last night; and though, on ordinary occasions, he should not have indulged in any criticism on those necessary prologues of the Session, which, by long prescription, were allowed to give the smallest quantity of promise in the greatest quantity of words; yet he thought, when the House reflected on the unparalleled state of affairs with which Parliament had to deal in the present Session, that he need offer no apology to the House for passing a few observations, in no unfriendly spirit, upon various topics contained in that Address. He did not think, when they considered the paralysed state of commerce in this country—when they knew that trade was depressed and confidence shaken—when they took into account the unparalleled state of society in Ireland—and also when they reflected that there were serious intimations of coming disturbance in the political horizon of Europe, that it would be regarded as presumptuous in a Member of that House to make a few observations to it upon matters so important. The first topic in the Address related to the commercial embarrassments. After the promise of the right hon. Gentleman the Chancellor of the Exchequer to give a full explanation of what had passed between the Bank of England and the Government, he certainly did not wish to press forward any unnecessary debate upon that subject; still he must say that he could not think that the embarrassments in trade mentioned in Her Majesty's Speech were of a purely local nature. He thought that it was an imperial question, affecting as much the well-being of Ireland, and of every portion of the kingdom, as it did the great capital of the empire; and he would ask the House whether, had it not been that trade was more flourishing this time last year than it was at present, this country could have made a sacrifice of ten millions of money to relieve the distresses of Ireland? As he felt that it was by the investment of English capital in that country that they could at all regenerate the social condition of Ireland, he, for one, could not feel satisfied until the basis of trade in this country was put upon some surer foundation than it rested upon at present. He did not for an instant pretend, with his limited knowledge of the working of the Bank Charter Act of 1844, to enter into any discussion upon that subject, or to give an opinion which must be of no value in the presence of men who had made the study of such subjects the business of their lives. This only he would say, that he thought the Government had acted wisely in sending that matter before a Committee; but, looking at it now in an unbiassed manner, he thought the Act had probably undergone much unnecessary odium. He would not, for obvious reasons, enter into any defence of that Act or of its promoters; but he thought the House should bear in mind that not above three banks of issue had failed during the late monetary pressure. He next came to that portion of the Speech which related to European policy. The House would remember that Her Majesty expressed her concern at the breaking out of a civil war in Switzerland. He was not aware whether many hon. Members had addressed themselves to the consideration of that civil war in Switzerland; but he was sure they must be well aware that the example set by this country no later than last year, when we interfered, as he thought, in a most untoward manner, in the affairs of Portugal, would furnish a very fair precedent for the autocrat of Austria to interfere in the arrangement of the Swiss cantons. He did hope, however, that Her Majesty's Government, when they offered their mediation, in conjunction with our Allies, "for the purpose of restoring to the Swiss Confederation the blessings of peace," would take care that that mediation should be of a different character to that which was offered in the kingdom of Portugal; and that they would not, for the sake of ensuring the blessings of peace, compromise the liberties of conscience, or allow the right of the majority of the federal states to rule the other cantons to be called in question. He came now to the next paragraph, which assured the House that "Her Majesty looked with confidence to the maintenance of the general peace of Europe." He was aware that the noble Lord at the head of Foreign Affairs was a man of great nerve, probably the only man in the House who possessed a universal knowledge of the relations of the different States of Europe; but he must be blessed with a superabun-

dant degree of nerve who could look with confidence to the maintenance of the general peace of Europe, when he took into consideration the state of Spain, France, Portugal, and Switzerland, and knew that any spark which might light a conflagration in those countries might compromise the peace of the world. More particularly was there a necessity for the consideration of the state of Europe in relation to a subject to which he should feel it to be his duty in the course of this Session to call the attention of the House, viz., the very incomplete and disgraceful state of the national defences. He did not know whether it were of importance to draw the attention of the House to the treaty which had been concluded with the Republic of the Equator. He believed that that treaty had been concluded with a State which had no force; and he also believed, that of all the serious humbugs which had been perpetrated in this country, one of the greatest had been our attempt to put down the slave trade. By the very course we had taken on this occasion, we had done more to promote the horrors of the traffic than if we had never interfered; and he hoped that some hon. Gentleman, better acquainted with the details of the subject than he could possibly be, would take an early opportunity of bringing this question before the House, in order that it might be put on its true merits, that the country might no longer be called upon to pay money which, so far from putting down the slave trade, only tended to accumulate its horrors. He now came to the most difficult portion of the Speech, the consideration of which might have been thought to have been concluded last night. He approached the subject with fear and trembling, for he looked upon the debate of last night as fraught with serious consequences, inasmuch as he saw in it an antagonistic spirit displayed which could do no good to this country, and he feared would be productive of mischief in Ireland. In touching upon it, he should endeavour to imitate the calm, temperate appeal which had been made by the right hon. Gentleman the Secretary for Ireland, in speaking of the affairs of that country. If so humble a Member as himself might be allowed to hold out the right hon. Secretary, as an example, he could assure the House that every indiscreet word spoken in the House was fraught with consequences which no man could overlook. He knew, that of that great body of ecclesiastics who were last night the objects of attack by certain hon. Members, the greater part were sound; but, of course, as among all large bodies of men, there were many wicked and some designing men. He could assure the House, however, that it was a mistake to suppose that the great body of ecclesiastics in Ireland were anything else than the friends of order and religion. It was with great pain that he had heard the reference made to the speech of a venerable archdeacon of the Roman Catholic Church—a speech which he, for one, would not for a moment defend. But he thought they should take into consideration that this gentleman was probably of an excitable temperament. He knew that gentleman, and he stated this in justice to him. He had known him for some time past to have been in very bad health, and that he had been ordered not to undergo any unnecessary excitement. He also knew that the Sunday previous to making the speech referred to, he preached one of the strongest sermons from the altar, denouncing agrarian crime and agrarian disturbance of the peace. He said this, not because he admired the offensive style of oratory, which he feared was too prevalent in Irish debates, but as a common act of justice to the individual himself. The Speech from the Throne also said that—

> "Her Majesty trusts that this distress will be materially relieved by the exertions which have been made to carry into effect the law of the last Session of Parliament for the support of the destitute poor."

The House had heard from the right hon. Gentleman the Secretary for Ireland that three-fourths of the country would be supported by the poor-law. He believed that in many districts this poor-law had been working well. But he must tell the Government, that by a most indiscreet and hastily-issued circular from the office of the Under Secretary, they had nearly imperilled, not only the working of the poor-law, but the peace of the south of Ireland. He did not know whether or not the right hon. Gentleman the Secretary for Ireland was aware that no later than a fortnight ago a circular appeared, contrary to the Act of Parliament, contrary to the express conditions laid down by this House, ordering all the money that was in the hands of the poor-law treasurer to be paid into the hands of the civil paymaster in Dublin. Upon this being issued, it was scarcely possible to describe the consternation into which it threw the south of Ire-

land. Rates which were formerly well collected, at once ceased to be collected altogether; and, in consequence, this circular, which was issued without consultation or communication with the Poor Law Commissioners, but was the result of a blunder by some minor official, very nearly perilled the very carrying out of their poor-law. As far as his knowledge went of that poor-law, he should say that it was working well in sundry unions of Tipperary, though he grieved to say that the rates had become so extremely high that it was impossible for the property to bear it. In his union, in the year 1843, the rate was 4,000*l.*; but in the present year it had increased to 20,000*l.* It was clear, therefore, if the increase of the rates continued in the same proportion, that it would be totally impossible for the property to bear it. The Speech went on to say, that—

"Her Majesty had learned with satisfaction that landed proprietors had taken advantage of the means placed at their disposal for the improvement of land."

Now, he did think that of all the things that occurred in the Speech, this was the most extraordinary. For what was the real fact? It was very true that landed proprietors had made application for portions of the million of money which was given as a bonus for the removal of the corn laws. It might be said, that they came fast and furious to the Board of Works; but he knew only of two instances in which a sixpence had been given. That morning he received a letter from a noble Lord in the south of Ireland, who had made an application for 20,000*l.*, and who had devoted his whole time and capital to looking after and employing the people; and that noble Lord begged him to represent to the Government that unless an advance was made out of the loan, he could not answer for the peace of the county, or put a single man to work. Therefore, when Ministers came and told the House that they had placed this money at the disposal of the landlords, they were bound to say when this money was advanced, and whether there was yet some portion of it in the Treasury which could be advanced for the purpose of affording employment to the people of Ireland. He had thought it his duty to advert to this in strong language, as it was a point of such vital importance. If the cultivation of the land was to proceed, they must, by some means or other, carry out their part of the bargain, and lodge the million of money for the employment of the people. The Speech went on to say—and he came now to the most lamentable subject for consideration—

—"that in some counties of Ireland atrocious crimes had been committed, and a spirit of insubordination had manifested itself, leading to an organised resistance to legal rights."

He could assure the House that he should endeavour, in discussing the subject, for the moment to forget that he was a landlord in Ireland, and that he should approach the discussion of this question in a larger spirit; that he should not regard the mere temporary inconvenience and annoyance that had assailed himself, but would endeavour by his speeches and votes, as far as it lay in his power, to place matters in that country on a better footing than they were at present. He could assure the hon. Member for Kilkenny, who rather taunted him with having gone over to Ireland with good intentions, but that he had abused them, that he knew of no abuse except the great sacrifice of income which he had made. He assured the hon. Member, that if his arrears of rent went to promote conciliation, he would very willingly grant many years' indulgence. Seeing what had been the state of the potato crop—for the potato was at once the money and the food of the people in some parts of Ireland—he was only surprised that there was not a worse state of things prevailing amongst the tenantry. He hoped, however, that the Government would prove equal to the occasion, and come forward with measures not of a tinkering, but of a constructive kind, so that society in Ireland might be re-organised *de novo*. He was well assured that Ireland could not be saved in any other way. The country had been reduced to its present state by our past legislation, and we must be prepared to abide by the consequences. But if they carried out the spirit which was now at work in Ireland, as far as the Lord Lieutenant was concerned, Ireland was in safe hands. It was, he considered, ungenerous on the part of Irish Members to cast any reflections upon Lord Clarendon, because he had made suggestions respecting improvements in agriculture. Although lectures might not be of very great use in the south of Ireland, still there were counties in Ireland where he was well assured they might, by means of agricultural lectures, and still more by the employment of agriculturists, do great good. But there had been some

little dispute as to what the nature of the outrages in Ireland was. Upon that point he felt that he should not be doing his duty to his constituents, or the public at large, if he concealed from the House that he was not of opinion that in those five counties the outrages were simply of an agrarian character. It might be very well to tell him that certain gentlemen were safe in their houses; but when he knew that the poor labourer was the man who, at this moment, was living under a "reign of terror;" and when he could tell them the names of individuals who, driven from their homes, sought refuge in bogs, and hid themselves in drains, but whose names never appeared in the provincial papers, the House would at once see that those outrages were not simply of an agrarian character. The fact was, that they were conducted by a few men who had determined, at all hazards, to get possession of the land. Though he believed that, in the main, the hearts and the feelings of the Irish tenantry were sound, still we all knew that it was in the power of a few men to strike terror and disunion throughout a whole country; and in carrying out their lawless interdicts, they spared the life neither of the rich nor of the poor man. But when he came to so grave a thing as the enaction of a Coercion Bill, he begged to say that, before recording his votes for abrogating the ordinary laws, he must see what were the schemes the Government intended to develop for the better ordering of society in Ireland. Though he was disposed to strengthen the hands of Government, and had the greatest confidence in the abilities and intentions of Lord Clarendon, at the same time, considering the position he had the honour to hold, he did not think that he should be doing his duty if, from mere personal feelings, he rushed to the conclusion that a Coercion Act was necessary. He thought that it was a great matter of doubt whether the law might not be found efficient if properly carried out as it now stood in the five counties. But at any rate, before enacting a measure of coercion, Her Majesty's Ministers were bound to come down and lay upon the table of the House some distinct plans for the future government of Ireland. Coercion alone would be but a temporary palliative. Moreover, he would not deceive hon. Members by saying that he believed a Bill for enacting what was called tenant-right would go to the root of the evil. The evil was deeper seated; and, as long as they had a class of labourers in that country badly fed, wretchedly clad, and worse paid, depend upon it they could have no safety for life or property. By some means or other, measures must be devised for alleviating the condition of the agricultural labourers, or their Bills for tenant-right would be of little avail. Not that he was blind to the necessity of tenant-right. He thought a measure of that sort was highly requisite, not only in justice to the people of Ireland, but to the people of England; and he should be happy to support any reasonable and well-digested measure by which the relations between landlord and tenant might be put on a sounder footing. On looking over the Speech from the Throne—this programme of the policy of Her Majesty's Ministers—he very much regretted to observe the omission of all reference to one measure which, in his opinion, would be of greater service to Ireland eventually, than all the measures that could be adopted—he meant an Act to facilitate the sale of encumbered estates in Ireland; for he felt confident, unless they could free the land from the shackles in which it was at present bound—unless they could throw the land of Ireland into the market, they would never have any real improvement. He would, therefore, respectfully press upon the attention of the Government the necessity of taking up this measure in a large spirit, and bringing in a Bill by which, *per fas aut nefas*, the land of Ireland should be thrown into the market. In the course of the speech of the hon. Member for Surrey (Mr. Drummond) last night, he referred to the question of the Irish Church Establishment. And although he (Mr. Osborne) might be told that this was not the time to moot that question, he must respectfully dissent from the opinion. He believed this was the time when you might put the whole state of society in Ireland on a different and better footing; and although he did not wish to see the abolition of the Established Church in Ireland, he thought it was possible, by putting it upon a congregational and not a territorial footing, that you might pave the way for a better state of things in Ireland. He did not know whether the noble Lord at the head of the Government had at all turned in his mind the necessity of applying to the Church question; but of this he was very sure, that until you legislated upon correct principles in that country, you would year after

year be coming to Parliament for Coercion Bills; and you would be obliged to have recourse to what was called by the hon. Member for the county of Cork, the same vulgar expedient, and go on in the same vicious circle from year to year. He thanked the House for having kindly listened to the few remarks which he had felt it his duty to make. He hoped he had not overstepped the limits which he had determined to observe. And if he might give some advice to an hon. Member whose great and undoubted position was that of being the leader of a most powerful party in Ireland—he meant the hon. Member for Kilkenny—he would tell him that it was unworthy of him to listen to reports which were not properly authenticated; and if the hon. Member would only leave him to carry out his own intentions, he had no doubt that those intentions, when Ireland was more pacified, would be properly estimated, and that he should not be obliged to bear the disagreeable character of an absentee.

Lord GEORGE BENTINCK: Sir, notwithstanding that my right hon. Friend the Chancellor of the Exchequer has said, that it is contrary to the custom of this House to enter into a debate upon the report of the Address, I apprehend it is altogether consistent with the forms of Parliament, and that it would be much more inconsistent with the custom of this House, and much more inconsistent with the feelings of the country, when the whole mind of England is full of the commercial distress with which the country is now overpowered, and is looking with the deepest anxiety for some explanation from the Government of the course which they mean to take with regard to the restriction of the Bank Charter Act, that Her Majesty's Ministers, one and all, should be permitted to remain entirely silent on the subject; and that when in the first paragraph of the Address Her Majesty's name has been, as I think, unconstitutionally put forth, as a protection to Her Ministers, stating that Her Majesty authorised Her Ministers to recommend to the Directors of the Bank of England an infraction of the law, neither the noble Lord at the head of the Treasury nor the Chancellor of the Exchequer should vouchsafe to explain to the House and the country the circumstances which have induced them to give that advice to the Crown. But, more than all, I am sure the country will not be satisfied if we allow this answer to the Address to be presented to Her Majesty without having some explanation from the Government of the reasons which, for the first time in the history of this country, have induced them to propose a new usury law, of which the tendency is not to reduce the rate of usury, but to add to it; and when, for the first time the Ministers of Her Majesty have thought fit without the consent of Parliament to raise taxes upon the people in a way which I am quite sure is most odious to the feelings of the country. These are reasons, I think, sufficient to call upon Her Majesty's Ministers to give a full and complete statement of all the circumstances which induced them to fix particularly on the 25th October—neither sooner nor later—to apply this relief to the country. My right hon. Friend said last night that the debate had taken an Irish turn, and that at that late hour of the evening—seven minutes before twelve o'clock—he could not be expected to make the long statement to the House with which he had come prepared. I, for one, do not regret it. Sure I am none of the English Members regret that, though the subject of Irish distress stood after the fourth paragraph of the Speech, that the subject of Irish distress took precedence even of the not less distress with which England is now afflicted. Sure I am that impatient as this country is to hear some explanation from Her Majesty's Ministers of the course which they intend to take with respect to the restrictions upon the Bank of England, the country will endure with patience that the ear of the House should be first given to the terrible tale of Irish distress. Sir, I must say, that if this Address had been reported and consented to without a full explanation by the Government of all the circumstances which led to it, bitter would be the disappointment throughout the country. Sir, it will be in the recollection of the House that an early period of the last Session the Chancellor of the Exchequer, in bringing his financial budget before the House, pronounced a high eulogium on the advantages of the Bank Charter Act. It will be in the recollection of the House that he was loudly called upon by many of my friends, and by a petition from the merchants of the city of London, and by various petitions from the merchants and manufacturers of almost every city throughout England and Scotland, to relax this restriction; but my right hon. Friend said the worst was over; and though it had been my intention to have moved the repeal or the mitigation of

that Act, the unexpected announcement of an early dissolution of the Parliament left no time for any such course. Sir, it will be recollected that at a later period, towards the end of the month of September, a deputation presented itself to the right hon. Gentleman the Chancellor of the Exchequer from Newcastle, at a period when already the value of the property of the houses that had failed in London, Liverpool, and Glasgow, approached nearly ten millions sterling—that they, foreseeing that increased difficulties were coming, applied to the right hon. Gentleman to remove this Bank restriction, which made it difficult to get the best bills discounted. What was the answer of the right hon. Gentleman? Why, that he could not be expected to guard against the consequences of over-trading and over-speculation, and there was nobody who did not know that there was no undue pressure in the money market as regarded houses in good credit. This was at the very time that Exchequer bills were at 25*s.* discount; when the power of the Bank of England to continue its payments began to be doubted; when amongst the houses in bad credit was the Exchequer Office itself, whose bills subsequently went down to 40*s.* discount. But still the right hon. Gentleman was obdurate. On the 19th of October another deputation waited upon the noble Lord the First Lord of the Treasury and the right hon. Gentleman from Liverpool. What said the noble Lord to them? Why, as they left his room, that he gave them no hopes. Time went on. Suddenly, on Saturday, the 23rd of October, certain bankers and others from the city of London waited upon the noble Lord. The right hon. Member for Tamworth came to town on Friday evening in his way to Windsor Castle. I do not know whether he appeared in the light of an *amicus curiæ*, or whether he tendered his advice on the occasion, to the Chancellor of the Exchequer; but suddenly we found that the Government had begun to relent. It was reported, I know not with what truth, that a gentleman, Mr. Pease, once a Member of this House, came up from Northumberland in the latter part of the week, and paid a visit to the noble Lord (Earl Grey) at the head of the Colonial Department, and to the right hon. Gentleman who has the honour to represent Northumberland. [Sir G. GREY: It is incorrect.] How necessary it is, then, that we should have correct information. All these rumours have passed current for a long time, and it has been said, that Her Majesty's Ministers, who were obdurate to the cries of the city of London, of Liverpool, of Glasgow, and Manchester, at length listened to the cries, that came at an appropriate moment, from Northumberland and Durham, They were informed that the Durham District Bank was on the point of stopping, and that unless the restriction was taken off the Bank of England so as to enable it to afford relief on the Saturday week following, there would not be a collier in Northumberland or Durham who would receive his weekly wages; and it was a concession to the fears of the noble Lord and the right hon. Gentleman, who was supposed to have been significantly told "that he knew what the colliers of Northumberland and Durham were"—that that was conceded to the wants of Northumberland and Durham which had been refused to the United Kingdom. Well, then, is it not important, if this be not true, that we should learn what it was that induced the Government on the 23rd of October, by which time houses, to the amount in value of their liabilities of nearer fifteen millions than ten millions sterling, had fallen, at length to concede and take the restriction off the Bank, and thus relax the chains with which commerce was so injuriously fettered and bound down? I think that we are at least entitled to hear from Her Majesty's Government, first, what were the immediate causes that induced them at this particular period to give way, whilst they refused at those earlier periods, when, if they had been more conceding, they might, as the whole commercial interest of this country believe, have warded off a very large portion of this distress and disaster. We have a right to know why it was that Her Majesty's Ministers postponed so long this urgent measure of relief. By courtesy we did allow the Address to be voted last night. It was because we felt it was better to distinguish between the Irish and the English interest in this matter, and that, inasmuch as the Irish Amendment had been moved at the first moment at which an opportunity was given, although in its proper course that Amendment, should not have come until after the consideration of those paragraphs connected with the banking interests of the country had been disposed of, that we thought that we had better have the discussion on a different day. No compromise that I heard of was entered into. The

right hon. Gentleman, at seven minutes before twelve, thought it not a convenient opportunity, and proposed Tuesday; but there was no agreement that I heard that this debate should be taken on Tuesday. The hon. Gentleman who moved this Address attributed all the distress, or the greater portion of it, to the enormous sums that had been expended in railways. This is a very convenient argument. I am not surprised to hear a free-trade Government and the political economists join in the cry "that it is all the railways that have brought on these difficulties." That there are difficulties, nobody disputes. So gloomy a speech never was made by any Sovereign to Her people as that which we are now considering; but when the right hon. Gentleman says that 161 millions have been spent in railways, and that it is impossible that any country should bear such a drain as that, he forgot to tell us that the expenditure had taken place in the course of twenty years. There was laid upon the table of this House at the latter part of the last Session a return showing the sum total that had been spent in railway works and railway stock. This, of course, was exclusive of the purchase of land; but it must be clear to every Gentleman, that any money so paid for land is merely a transfer from one to the other, and cannot be counted as in any degree a drain upon the capital of the country. The entire sum spent up to the 1st of January, 1847, in railway works and railway stock, amounted, in round numbers, to eighty-two millions sterling; but of this thirty-two millions had been expended prior to the commencement of the year 1841. Thus there remained but fifty millions, which was expended in the five years from 1841 to 1846. I do not know where the hon. Gentleman gets his authority for stating that the sum that has been expended now amounts to 161 millions. I believe that the sum called up in the present year amounts to thirty-three millions; but of that, six or seven millions is in arrear. The result of this is, that in the present year you have about twenty-six millions, with perhaps seven millions more in loans, making altogether thirty-three millions, to be added to fifty millions that had been expended between 1841 and the present time, both years inclusive. So that you had altogether, say eighty-five millions sterling, at the outside, spent in the period between 1840 and the present time. That was a period of seven years, and the sum extended over that period would average no more than 12,140,000*l.* each year; and they were gravely told that this country, after thirty-two years of peace, was reduced to such a state of poverty and distress that she could not bear such an expenditure without being brought to the brink of ruin. The hon. Member who moved the Address spoke as a matter of astonishment of the sums which had been expended in railway speculations; but had he considered the sums which were spent annually by this country during the war? We were told, forsooth, that it was the great famine which had afflicted the country and caused the distress. It is true that a great deal of gold has gone out of the country for provisions; but the commercial distress has been caused by the joint operation of the Bank Charter Act with the system of free imports. It is not the high price of corn; the price of corn in the last seven years of the war averaged, I think, 94*s.* 6*d.*, and yet we were enabled to raise and spend each and every year of those last seven years of the war 70,000,000*l.* sterling, and more, upon an average, in taxes alone, whilst in loans we raised and spent in those same seven years, I think, above 180,000,000*l.*, that is, 26,000,000*l.* a-year more, and we spent that money too—not in the country, but to carry on the war in foreign lands. Were we poverty-stricken then? Were we a humbled and a ruined nation then? Was England then a spectacle of bankruptcy and shame? Was England crying out that she was ruined, and could do no more? In the last year of the war—in 1815—we spent 131,000,000*l.* sterling; we were able to raise a property-tax of 15,000,000*l.*; we sent 207,000 regulars and 80,000 militia into the field, whilst at home we had 340,000 local militia; we were able to pay 140,000 seamen and marines; and now are we to be told that we cannot employ 303,000 railway labourers on profitable works without bringing the country to the verge of ruin? It is well for the Government to raise this cry against the railways; it is well that these free-traders who promised so much and have performed so little, should have some scapegoat on which to visit all their sins. But how is it that we look around us and see in the United States of America, in Belgium, in France, in Prussia, in Bavaria, and in Russia, railway operations (so far as the Continent is concerned), in

proportion to their resources, not inferior to these, and the same dearth prevailing, and yet these countries are not bankrupt? We have got within these few days the speech of King Leopold of Belgium, and he congratulates his country that, the famine being over, Belgium has got through her financial crisis far more successfully than neighbouring countries. We have the speech of the King of Holland to their High Mightinesses the States General; he, too, congratulates them upon the favourable state of their finances, and the prosperity that is showing itself again. Three months ago, when the harvest was yet scarcely completed, we had the speech of the Minister of Finance at Paris (M. Dumon), who congratulated the country upon the fine harvest, as we have thanked Providence for the fine harvest here; he was at that time asking the sanction of the French Chamber for a loan of 10,000,000*l.* sterling; he entered into the discussion of what would be needed from the Government for the French railways; he stated the sum altogether at 64,000,000*l.*, and he stated the large sums that had already been spent; but did he speak of poverty and bankruptcy? Did he speak of a falling revenue, and of manufacturers and labourers out of employment? No; he congratulated the country that every year, from 1830 onwards to 1840, the revenue of France had been annually increasing by something like 400,000*l.*; but since the State had assisted private industry by these large advances upon railways, in the last seven years the revenue of France had been annually increasing by the amount of 23,000,000f., which is about 940,000*l.* a year; and he congratulated the Chamber that the momentary depression which had existed in the year 1846 on account of the famine was already passed away, and "the revenue of France was again marching upon the ascendant." I am reminded too of the state of the French funds. See what is the difference: the French Three per cents, which used to stand about 13 per cent below the English, are creeping up to the English funds, and now stand but 9 per cent below our Three per Cent Consols. Look at Prussia, and you see the same thing: an annually increasing revenue—her population in the last thirty years since the war increased by one-half—her debt reduced almost to nothing—the country every year able to pay off a large portion of her debt—and her exports, annually increasing in the last ten years, more than doubled, her external trade having increased in the proportion of nine to four. Look at the other States; look at Bavaria, and you find the same thing. Bavaria is remarkable for its encouragement of railways and similar measures; and I think her exports in the last ten years have increased in the proportion of six to four; she is annually able to pay off a large portion of her debt, her revenues enormously exceeding the amount of her annual expenditure. But if there is no distress in Russia, it may be said, that the famine did not extend to that empire? But what do we see in the case of the Emperor of Russia—him of whom we used to hear that he was so poor that it was impossible he should ever go to war? Why, we are looking with anxious impatience to the determination of his Imperial Majesty, glad to receive a contribution of some 5,000,000*l.* to the funds of Western Europe; and yet we read the other day that His Majesty, instead of finding his coffers much denuded, has discovered since the spring that no less than 3,500,000*l.* of gold has flowed into his coffers. How is it, that the same causes have not had the same effects on continental Europe that we are told they have had on England? What is the difference between this country and foreign countries? Why, there are two great differences. Not one of these continental Powers has abandoned the old national principle of protection of their own industry; not one of these countries has consented to be so easily parted from its privileges and advantages—not one has consented to reduce the import duties upon the goods of foreigners without insisting on some equivalent in return. They are prosperous; their mills are not standing still, their artisans are not thrown out of employ, their industrious population are not cast for subsistence upon the poor-rate. They, on the contrary, are carrying on their manufactures to the exclusion of England; and at this very moment their manufacturers are purchasing the cotton of England—purchasing this year and last year in Liverpool more cotton than at any preceding period—and purchasing it at a loss to the British merchant, purchasing it at 1*d.* per pound below the price at which it is selling in any other country where it is either consumed or produced; at 1½*d.* per pound below the price at which it can be purchased in Charleston or New Orleans, and imported to Liverpool. In the last six weeks, I know, the merchants of Liverpool have exported 22,000 bales of cotton

at a loss of 88,000*l.*; whilst in the preceding periods of the year they had exported cotton at a further loss of 100,000*l.*, to be a premium, a bonus, a bounty to the foreign manufacturer to come here and beat Englishmen in their own market. Is this because we have more cotton than we know what to do with in this country? Far from it. For eight years past the stock of cotton never was so low in Liverpool as at the present time. It is acknowledged on all hands. The Gentlemen on my right know it. It has been alleged that a short cotton crop is one of the causes of the great prevailing distress. Your manufacturers cannot carry on their trade because the price of cotton is so high, and cotton so scarce. They are as much starved for want of cotton as they have been starved for want of corn. Yet what, after all, is the spectacle which England now presents? Why, that of an exporting country of cotton, the raw material of her own staple manufacture. Is it, then, a want of cotton that produces all this distress? No; it is the want of credit to buy the stocks of cotton in your own ports which foreigners are taking from you. It is your restrictive monetary laws. It is your cruel Bank Charter Act—an Act passed, by anticipation, as we are now led to suppose, by the Elbing Letter, with a view to correct any too great spirit of commercial speculation; an Act that is to make things in England artificially cheap, at a time when your foreign imports are taking all the gold out of the country, and foreigners will not take your manufactures in return—an Act which, after the gold has been drained from you, is to bring back gold to England by making everything in England artificially cheap. Your cry is "Cotton must be sold cheap"—and what is the fact? It is now selling at 4*l.* per bag below the prime cost in the American market; while sugar is selling at 6*s.* and 8*s.* the cwt. below what it may be purchased at even in Cuba or Brazil. Tea also must be sold cheap, and it is now selling to the foreigner by the chest and by the pound retail in this country at a less price than it cost the merchant by the chest in Canton. These are the works of your free-traders, who are obliged to bolster up their free-trade schemes by a Bank Charter Act, in order that by making the goods of the manufacturer artificially cheap, they may force back the gold which free imports contracted by any bounds have drained away. I am told that for the first time in the history of the cotton manufacture of this country—and I speak it in the presence of millowners and cotton spinners, that they may contradict me if they can—cloths, calicoes, and yarns have been sold at the price which the cotton, in its raw state, cost; and think you this is a profitable trade for England? It will bring back into the Bank of England the golden image set up by the right hon. Gentleman the Member for Tamworth for his own worship; but in doing this it has made us a bankrupt nation. With regard to other countries I have already observed that instead of their casting away the revenues which they derived from taxes upon the produce of foreign countries, as we have done, they studiously maintain them. What do the returns of the revenues of the United States of America present to the view of the politician and the free-trader? The returns of the most prosperous country in the world show you a revenue of 28,000,000 of dollars, 20,000,000 of which are levied upon the produce of British industry. Yes, 20,000,000 of dollars, being more than two-thirds of the revenue of the United States, are annually raised out of the produce of British industry. That it is which has drained our gold—that it is which in the course of last year and this has taken away our 8,000,000*l.* of gold, which will pay the expenses of their Mexican war. Her Majesty, whilst She brought before our notice the subject of Her friendly interference in the affairs of Switzerland, was wise and politic in preserving silence on the subject of Mexico. England has paid by her free imports and taxed exports for the Mexican war; and well may the Americans boast of their advantage over the noble Lord the Secretary of State for Foreign Affairs. I recollect reading a short time ago in the American papers that Lord Palmerston, with all his good-will, must cease to be insolent, "for," said they, "if we choose to take Mexico as well as California and Texas, ay, and Cuba, by and by, Lord Palmerston needs must keep silence, for England henceforth will be dependent altogether upon the United States for her food as well as her cotton." Sir, we have a country containing 100,000,000 of inhabitants, which might supply us with a large portion of our cotton; but we tax the cotton of our own possessions to pay for the government of India, and we allow the cotton of America to come into this country free. This gives a premium to American cultivation, and has

successfully given her a monopoly of the cotton market, and right well does she use it. I am prepared to show to you that the merchants of Liverpool alone have lost, to the gain of the United States, in the importation of cotton this year, 2,000,000*l.* sterling at least. If the want of cotton has starved our manufactures, why does it not starve the manufactures of the United States? Yet, while we are told by the Mover of the Address, who knows it well, that the consumption of cotton in Lancashire having been 30,000 bags a week last year, has been reduced to 20,000 bags a week this year, what do the United States present? They present an increase of consumption of 40,000 bags upon 389,000 bags, that is, an increase in their cotton manufactures of 10 per cent, though they are suffering from the same cause, namely, a dearth of cotton, as the manufacturers of this country are subject to. Is it not obvious, then, that there must be some other cause for the present state of things in this country? Whilst we are contracting our currency—whilst we are passing our Bank Charter Act, an Act, by the by, which the hon. Member for Liverpool told us last year "had saturated the country with gold"—whilst we are passing this Bank Charter Act "to saturate the country with gold," what are other countries doing? They are meeting the emergency by measures of a very different description. We see France choosing this opportunity, not of contracting the number of her bank notes, but, on the contrary, of reducing their value from 20*l.* to 8*l.* We see one of the most flourishing States of Germany, in order to meet her railway necessities, not contracting her currency, but sanctioning savings-bank notes on the one hand, and railway notes on the other. Then there is the Emperor of Russia, what is his course? Does he shut up his gold? No, he chooses this opportunity to send his gold away; and whilst he, too, is improving his country by the construction of State railways, he, to meet the calls for his railways, has just created a novel issue in the shape of railway notes, consisting of four series, two of which already put in circulation amount to 950,000*l.*, and the other two shortly coming out will amount to 950,000*l.* more. So that, look where we will for the causes of our present distress and disasters, we see England distinguished by two most important measures, one measure being the restriction of the currency, and the other measure the unrestricted admission of free imports. Such is England at the present hour; that England which so lately as the year 1845 had risen to a pinnacle of fortune, and to an extent of wealth and prosperity which no other country had ever reached—that England which was then the envy and admiration of all nations. But now, what did that same England present to the eyes of astonished Europe and the world?—a spectacle of shame, of bankruptcy, and of distress; with the finger of scorn pointed at her by every commercial community from New York to Canton. Yet, when your merchants come to you, and your manufacturers pray of you that you will relax your monetary restrictions, and enable those who have cotton and sugar and tea and woollen and cotton manufactures to sell, to have money lent to them at a reasonable rate of interest, on the security of their stock, you, Her Majesty's Ministers, draw back and refuse to set the Bank of England at liberty till you find you are on the brink of the precipice itself, and that any further delay would precipitate you into the gulf of irremediable ruin. Then, indeed, you come forward; but instead of doing as great Ministers have done in former times—instead of imitating the example of Mr. Pitt, who, in the year 1793, when he found the commerce and trade of the country in a similar position, came forward, and advanced 5,000,000*l.* sterling, at 3*l.* 16*s.* per cent interest, although the Government had borrowed, it is said, at 4*l.*, you declare that you will make a profit of money lending, and raise the rate of interest to 8 per cent. Well, I remember Her Majesty's Ministers last year, when I proposed a measure by which the industry of Ireland would have been stimulated, saying, that the Queen's Government could not be made money-lenders. What are you now? Are you not money-lenders, money-changers, and usurers? Are you not interposing to make money dear? Are you not raising the rate of interest to a price at which you know the trade of the English merchant must perish? Never have I heard of any country or of any Government in the world before this that proposed to wring money out of the necessities of the people. We are told by the Divine law, that "if thou lend money to any that is poor, thou shalt not be to him as an usurer." But Her Majesty's Government have turned usurers; and fatal have been the effects throughout the country. The money-lender by profession was too

ready to follow the example set him by the Government; and he who before would have been ashamed to ask 8 per cent for his money, did not scruple to take 10. Mortgages have been raised from 3½ to 5 per cent, while in Scotland loans on personal security, bond debts, have been generally raised to 6 and 6½ per cent. In short, the whole country was taxed by a usury law; it was taxed to the amount of 1½ per cent; a charge far heavier than if you were to impose an income-tax of 10 per cent. Any Gentleman has only to look at the property and income-tax returns, and he will see—assuming the whole land of the country to be mortgaged for only one-third of its value, and that I believe is far below what the land of the whole empire is mortgaged for—that an increased charge of interest of 1½ per cent is equal to a new tax on the land of England, Scotland, and Ireland, of at least 12,000,000*l.* sterling a year! But that is not all. I have hitherto been speaking of the landed property of the country; but there are the trading and the industrial classes of the country; these are taxed even to a higher degree by this usurious interest. By this additional rate of 1½ per cent interest, I will venture to say that a tax is levied upon those who are in debt and obliged to borrow money on interest to no less an amount than 25,000,000*l.* a year. Well, then, the Government having been accessories to the exacting of this high usurious rate of interest, are we to be told that it is not convenient that the time of the House should be taken up on the second night of the Session to consider what were the circumstances which led the First Lord of the Treasury and the Chancellor of the Exchequer to advise the Bank only to lend money at that high usurious rate? Good God! what are we to believe? One might suppose that the noble Lord the First Lord of the Treasury and the Chancellor of the Exchequer had taken Shylock into their confidence, and that they have only been considering how they could exact most extortion out of the necessities of this suffering country? It reminds one of the language of Sir Giles Overreach to Jack Marrall:—"I have thought on't, Marrall, and it must take—I must have all men sellers, and I the only purchaser." One would imagine that the original author of the Bank Charter Act and the monied interest were determined to have the whole trade, commerce, and property of the country at their disposal. Lord Bacon has said, "Usury bringeth the treasure of a realm into a few hands: for the usurer being at certainties and the other at uncertainties, at the end of the game most of the money will be in the box." The effect of all these measures is to transfer the landed property—all the mortgaged property, and the interests of all those whose monies are embarked in trade into the hands of the money-changer. It is, in fact, a total transference of the property and money of one portion of the community into the hands of another portion of that community. And are we, on such a proposition as this, to sit down in silence and hear no word of explanation from Her Majesty's Ministers as to the grounds upon which they so long upheld this injurious Bank Charter Act; and why, when they were at last reduced to the necessity of relaxing it, they, in doing so, incited the Bank of England to exact such an amount of usurious interest as never before was known to have been received in the course of the last century and a quarter?

I will not enter anew upon the affairs of Ireland, further than to say, that Her Majesty's Ministers must make themselves responsible for the peace of Ireland. I shall postpone my remarks upon any measures they may produce till I see them before the House. I trust Her Majesty's Ministers will not present another spectacle of a Government turning out one set of men, and then governing the country upon the principles by a resistance to which they obtained office. I hope, at all events, whatever may be the measure, it will not be another Curfew Bill, shutting men up in their houses by night, as a remedy against mid-day murder. But whilst I am quite prepared, on due cause being shown, to support the Government, I shall wait till the measure is proposed, and reserve to myself the right of giving it my support in proportion as I may think it suited to the occasion.

I will not trouble the House by adverting to the foreign policy of Her Majesty's Ministers; they, I suppose, have maintained a prudent reserve in abstaining from any observation in the Speech in regard to their foreign policy—with regard to their Portuguese interference. On the subject of their policy in respect to Italy they are altogether silent; but Her Majesty has been graciously pleased to say that She has obtained a slave treaty from the Republic of the Equator. I must say Her Majesty's Ministers would have shown more tact had

they been silent on that subject altogether. The hon. Gentleman who seconded the Address said there was another link of the chain knocked off the limbs of the negro. Why, Sir, I want to know how many thousands of new links Her Majesty's Ministers have added to those chains which before tortured the negroes by the admission of slave-grown sugar? I shall be curious to learn, on official authority, what the estimated amount of the increase of the slave trade may be. We do see statements in a certain paper, which is supposed sometimes to receive information from head-quarters, that the slave trade has increased five-fold within the last twelve months, and that the capital embarked in it has greatly increased, there can be no doubt. It is notorious that slave-grown sugar has risen greatly in price; and it is notorious also, that the price of a slave in Cuba and in the Brazils has advanced from 300 to 500 dollars at least. But I shall be curious to learn to what extent the slave trade has increased. If we are sure that more links are added to the chains of the negro, and that more slaves are transported to the western hemisphere, sure also are we, by the labour we take out of them, that no low numbers will suffice to count up the thousands of lashes by which that increased labour is extracted from them. As Her Majesty, on proroguing the last Parliament, preparatory to its dissolution, was pleased to congratulate it upon its having given Her subjects cheap sugar, Her Majesty, in Her gracious Speech on opening the present Parliament, might have condescended to utter at least one word of pity for the thousands who have been reduced to beggary by that measure. When we see that Government has been obliged to send out instructions to watch the export of rice from the East Indies for fear the Mauritius should become another Ireland, and the 93,000 imported Coolies, who must be left without employment and without wages, should be left destitute of food also—when we know that Lord Grey has authorised the formation of a Government bank to issue notes, and to advance 9*l.* per ton on 50,000 tons of sugar, in order that the Coolies in that colony may be kept alive—when we see the noble Lord, with all his high metallic currency notions at home, is compelled to issue ten-shilling Government assignats in the Mauritius—when we see all these things, I think we are entitled to require that we should hear, if not from Her Majesty herself, at least from Her Ministers, some explanation of the course which the Government has determined on adopting with respect to the Mauritius and the West Indies. Though Her Majesty congratulated the country upon its having cheap sugar, I think there are now few persons so blind as not to see, or so obtuse as not to understand, that that measure in its consequences has been one of the causes of the distress which now afflicts this country, producing first the failure in the West Indian, the Mauritius, and the East Indian houses connected with sugar planting in those countries, and thus by ruining the merchants, breaking up other mercantile houses connected with that trade, and finally, as a necessary consequence, by causing the bills of those countries, drawn against sugar in payment of Manchester goods and manufactures, to be returned dishonoured. What is the position of Manchester at the present moment? The rates levied for the support of the poor in that city are more than double what they were at any former period. This state of things has been caused by the return of dishonoured bills of corn and sugar merchants, given in payment for goods. It is true, that during the last ten or eleven months there has been an increase in the exportation of manufactures to the United States to the extent of some 7,000 packages; but the exportations to the Canadas, the West Indies, and the East Indies, show a terrible balance on the other side. For an increase of 7,000 packages to the United States on one side, there is a falling off of 30,000 on the other, to Calcutta and Bombay! And this is your balance of trade! This is the result of free trade!

When Her Majesty recommends the further consideration of the Navigation Laws, I think prudence might suggest to the noble Lord, with all his courage, the propriety of holding for a time his ruthless hand. Surely, in the present circumstances of the country, there is little to encourage us in extending the free-trade system. Let us, who were told by the right hon. Baronet the Member for Tamworth in 1845, in proposing the renewal of the income-tax, that such would be the elasticity given to trade and commerce and all branches of industry by his new commercial policy, that he hoped to be able, at the expiry of three years, to dispense with the property and income-tax altogether—let us, who are now told in Her Majesty's Speech that She "regrets to inform us of the injury which

the revenue has sustained," pause a little before we resolve to proceed further in the ruinous course which has conducted us to our present disastrous position. Remember that, if we are to believe the evidence given before the Navigation Committee, the question to which Her Majesty's Speech refers concerns a capital amounting to no less than 38,000,000*l.* invested in shipping alone, and 14,000,000*l.* more invested in those trades which are necessarily connected with shipbuilding. Let us bear in mind that it is a trade of which the freights alone amount to 28,000,000*l.* a year, and the annual wages and expenses to 26,000,000*l.* Without going now into the general question, I say, that when a mighty interest like this is concerned, I cannot permit the report on the Address to the Throne to pass without entering my protest against Ministers proceeding, with regard to it, in the same rash course which has been pursued respecting other important interests.

Her Majesty has been pleased to tell us that She has given directions to have the estimates which are to be laid before us framed with a careful regard to economy. I rejoice at that information. I feared that we might have had to listen to some proposition for the imposition of new taxes; but I hope that I may now congratulate the country on Her Majesty being able to dispense with the imposition of any fresh tax upon her subjects. As the property and income-tax expires in the course of the next spring, may I not also venture to hope that Ministers even contemplate the possibility of being able to dispense with that burden? For myself, I confess that I cannot see daylight at present. I know not what course we can, with safety, pursue, unless it be that of retracing our steps. The hon. Member for Lancashire said last night that he could see only one ray of sunshine to illumine the gloom and darkness which surrounded us, and that was to be found in the circumstance of Her Majesty having been whisked along a railway at the rate of forty-five miles an hour through Lancashire. According to the hon. Member, Her Majesty passed like a bright star through the darkness; but if he can furnish us with no greater hope than is afforded by that circumstance, I fear that we have only the prospect of a melancholy future before us. How changed are the auspices under which we commence this Session from those which presided over the opening of that of 1846! Then Her Majesty permitted Her Royal Consort to honour us with his presence—to honour Her faithful Commons by sitting actually amongst us, as it were, to hail the triumph, to grace the pageant of victorious free trade. Swelling were the promises then made, and high the expectations raised. The hon. Gentleman the Member for the West Riding of Yorkshire and for Stockport, whose absence to-night surprises me, would I had hoped have been here, facing the darkness of the present hour, and prepared to explain how it is that all his promises of prosperity and big loaves have been broken. In 1841 we read a celebrated address to the non-electors and working men of Stockport—one of those which, very probably, went no inconsiderable way to make up the weight of the 416 tons of tracts which were circulated by the free-traders during the Anti-Corn Law agitation; and we heard in that address, that it was only necessary for them to abolish the impious and unchristian corn laws, and corn within two months from the passing of the Bill, and ever after, should be brought in in such plenty that flour would be sold at Stockport for six farthings a pound, and that this cheapness too should be accompanied by increased employment and advanced wages. Every spindle and every loom in Stockport was to be set in motion, every shopkeeper was to be prosperous, every house was to be tenanted, the numbers of the population of Stockport were to increase, new mills, new houses, new churches, and new chapels were to spring up around them! All Christian men were called to put down that impious monopoly, which took from the poor man's shilling the fourpence with which he would otherwise purchase his tea, his coffee, or his clothing, and all for the benefit of the rich landowner; that impious and unchristian law which was stigmatised as taking one-third of the food of the wives and families of the poor, to increase the overgrown wealth of the Duke of Buckingham and Sir James Graham! However, I rejoice (turning to the right hon. Baronet), I rejoice to see my right hon. Friend in his place. There he is as large as life. And much do I rejoice to see his countenance beaming with all that healthful contentment which the contemplation of these untold bags of gold which I sincerely hope he possesses—are so much more calculated to assure to him, than the view of the issue of those miserable, those ruinous, those free-trade mea-

sures, in the passing of which he had so large a share, and of which he now sees the full and fatal consequences. And I rejoice the more to see my right hon. Friend there, because, if I recollect right, contemporaneously with that address to which I have referred, there appeared another memorable address, enunciated by my right hon. Friend. And, sincerely do I rejoice to see that my right hon. Friend is not the victim of that solemn imprecation, which in the presence of the electors of Dorchester he put up to Almighty God—

> "May I be cold before that dreadful day,
> Press'd with a load of monumental clay!"

meaning, of course, that day when, apostrophising Great Britain, he exclaimed—

> "That day, when thou, imperial Troy, must bend,
> And see thy warriors fall, thy glories end."

But, Sir, I repeat, how changed are the auspices of the present from that of years not long gone by! Prosperity, growing wealth, full employment, greeted us in 1845. All men were happy, all men were thriving. Now we see nothing but ruined firms and starving people. Starved, too, be it remembered, in the midst of plenty; starved, too, immediately after we have been engaged in thanking Almighty God for the plenteous harvest vouchsafed to us. How different was the position of the country under the protective system, when we were content to pursue our prosperous and wealth-making industry in the old trade-winds of national and colonial protection! But there came a day when unfortunately the trade and commerce of this country, wantoning in their very wealth and prosperity, grew to be discontented with the channels in which they had won them, and listened to the seductive language of the right hon. Baronet and the hon. Member for Stockport, and soon that traffic, which had been before so thriving, faded before the meretricious breath of free trade. How changed are now our circumstances! What were we once—what are we now?—

> "How like a younker, or a prodigal,
> The scarfed bark puts from her native bay,
> Hugg'd and embraced by the strumpet wind.
> How like the prodigal doth she return:
> With over-weather'd ribs, and ragged sails,
> Lean, rent, and beggar'd by the strumpet wind."

Lord JOHN RUSSELL: Before I allude to the speech of the noble Lord, I wish to make a few remarks in answer to the observations made in a very temperate tone by the hon. Member for Middlesex. That hon. Gentleman alluded to one measure which was passed during the last Session for facilitating the advance of money for the improvement of land in Ireland, and he asked how it was that that measure had not been acted upon? Now, Sir, all the persons charged with the carrying of it on have given their best attention to the subject, and I am happy to say that a million and a half of money has been applied for under the Act in question, and that a grant of half a million has been actually sanctioned by the Treasury. The Act, therefore, is now in full operation; of course there were many preliminary inquiries to be made, and many forms with regard to the advances of money upon security which required to be attended to, and no doubt many people were disappointed that advances had not been made at an earlier period; but the amount which I mentioned having been sanctioned, it is therefore to be presumed that the sum will be the means of giving increased employment, and of conferring many advantages upon the people of Ireland. The hon. Gentleman then put some questions with regard to the sale of encumbered estates. The measure for that purpose which was brought forward last year, but not passed into a law in consequence of the advanced period of the Session, and the strong opposition which it experienced, has again received the attention of Government, and I may state that a Bill for a similar purpose will speedily be introduced either into this or the other House of Parliament. Indeed, I attach the greatest importance to a measure of this kind; for one of the greatest evils of Ireland consists in the nominal possession of estates by persons who have no means of improving them, or doing justice to the claims of the tenantry. There are, doubtless, many cases of persons having large estates without means, but who would be enabled, by selling portions of them to make the remainder far more valuable. With reference to emigration, which was also referred to by the hon. Member, I have generally held that, though emigration may be a useful subsidiary measure in some respects, yet I do not think that there exists that over-population in Ireland of which some persons have complained; and I believe that if agriculture, which is the staple industry of the island, were to be prosecuted with science and skill, that there do exist means in Ireland of supporting the population in a manner as comfortable as that of England is supported. There is another measure which will be introduced in the course of the Ses-

sion—for the amendment of the grand jury laws. And all of these are, I think, measures which will tend to the improvement and pacification of the country. There is yet another measure to be alluded to—one on a subject of such vast importance, and yet so difficult for legislation to handle, that though we have devoted the greatest attention to it, and have gone over its details with the utmost care, I can at present only say that we shall introduce it in that shape which will, in our judgment, be most consistent with the improvement of the land on the one side, and with the undoubted rights of the landlord upon the other. I refer to that great and difficult question—the relation of landowners and tenants. If we look back to what has happened in Ireland, we shall find that much of the difficulties experienced in dealing with that country, both as to the obstacles to improvement, and the prevalence of crime, we shall find, I say, that these relations of tenant and landlord have been for upwards of ninety years a source of bitterness and alienation, and of many of those violent outrages which have at different times been visited with the severest penalties of legislation; but those relations have never been placed in that position in which landlord and tenant could act with that confidence and kindness towards each other which in their situation are so peculiarly requisite. This question arose ninety years ago, and was one of the difficulties in the way of legislation before many of those agitated questions, such as the Catholic disabilities and tithes, which have now been settled, gave any trouble; and it is therefore with apprehension, as well as with hope, that I approach its consideration. I repeat that Government are devoting their earnest attention to it; and I have to deplore, on this as on other subjects, not having the advice of my lamented Friend the late Earl of Besborough, who intended to introduce a measure upon the subject; although, from what he considered to be the difficulties which lay in the way of legislating in the matter, he always stated that he would not wish the Bill which he proposed to enact to be introduced into Parliament unless he were present to explain and defend its provisions. Unfortunately the illness and death of my noble Friend have prevented us from having the advantage of his personal assistance, and from being put fully in possession of his views. Now I hope I have said enough to show that we are not liable to the charge, which the right hon. Gentleman did not formally bring against us, but which he hinted at, when he said that measures of coercion only appeared to be in our minds. I feel now as strongly as ever I felt, that such would be a totally mistaken policy. I do think that it is our primary duty to prevent, if possible, and to check in some degree, such atrocious crimes as are those we have lately heard of are necessary. I conceive them to be necessary, if for no other purpose than to give protection to capital, and promote the improvement of agriculture, which is essential to Ireland. Because if it be wished in Ireland that English capital should flow over there, further to improve the land and develop the resources of the country, it should also be considered, that when the possessors of property and capital here observe the crimes and atrocities committed in some parts of Ireland, and when they hear of language being used which is apt to instigate to those crimes—then, Sir, I say that it ought to be considered that the natural effect of such circumstances must be to cause capital to be withheld which would otherwise be sent to Ireland for the improvement of the soil and the employment of the people. Sir, I will say no more as to the measure hinted at, because in a few days my right hon. Friend (Sir George Grey) will explain to the House its nature, its character, and its provisions. Now, Sir, as to the noble Lord; and, first, I must own that that phrase of a statesman whom the noble Lord admires above all others—I mean Mr. Canning—"that there was a good deal of good indignation thrown away," seems to me to be applicable to much of the noble Lord's own speech. I thought that when the right hon. Gentleman who sits next to him asked the reason why we did not enter into an explanation touching our policy in regard to the Bank, and when my right hon. Friend near me (Sir Charles Wood) replied that he thought it better to postpone the matter until Tuesday — why, Sir, I must own that I thought that a very fair arrangement, and one, too, with which the right hon. Gentleman seemed to be satisfied. I thought, indeed, that we should have heard of no objection to it; but I am sure that had the right hon. Gentleman or the noble Lord stated their wish to take any discussion relating to the Bank on the report, that my right hon. Friend would have been ready to take that course, having, as he has, no personal interest in the matter. His mind has been for the

last six weeks directed to the subject, and he is naturally as much prepared upon it now as he will be next Tuesday. It was simply with a view to general convenience that the course was adopted which has so strongly excited the indignation of the noble Lord. But the noble Lord has taken this opportunity to go very much further than that practical measure of which he appears to complain, but of which I do not in reality know whether he complains or not. We deemed it necessary, in a great emergency, to say to the Governor and Directors of the Bank, that we recommended and advised them, if it should become necessary for the accommodation of the public, to advance their notes upon approved security, and that if thereby the Act of 1844 should be infringed, we would then come to Parliament and ask for an indemnity for those who had infringed the law, and for ourselves who had advised its infringement. Having done so, it next became our duty to advise Her Majesty to summon Parliament together as early as possible, in order that we might state what we had done, and abide by any consequences resulting from our conduct. Now, if our policy has tended to produce public injury—if it were inconsistent with our duties as Ministers of the Crown—if, for a slight and fanciful occasion, we have advised the suspension of the law—then the noble Lord can bring forward any resolution censuring and condemning our conduct which he pleases. I think, however, that we only performed the duty which we owed to the country and to Parliament. I think that we were right in the recommendation which we gave. We cannot but feel that we were right in advising Parliament to be summoned. And yet, because we proposed to postpone the discussion for public convenience from one Tuesday to the next Tuesday, the noble Lord says that we decline to give the requisite explanations. Sir, I can assure him that he shall have from my right hon. Friend and from myself the fullest explanation of all the causes of our conduct —of the circumstances under which that conduct was adopted — of the circumstances which we think will justify the measure which we took, and of the consequences which have flowed from it. These consequences, Sir, I think, have shown that we were not mistaken in the step which we took. They have shown that consistently with maintaining the convertibility of the bank note, and the credit of the Bank, we could restore public confidence, which at that moment was so seriously impaired. The noble Lord adverted to the circumstances which took place before and at the time of the adoption of our measure. He adverted particularly to a deputation from Liverpool; but I think that he has mistaken the sense of an answer which I gave to that deputation. Of course it was not for me, while the matter was under deliberation, to mention any measure which had not been decidedly adopted by the Government. It was not for me to state what we might do in certain contingencies. I told the deputation that at the then present moment I could see no public advantage in interfering with the conduct of the Bank; but I told them also, that the Government did not preclude themselves from taking any measure which they might think for the public interest when they deemed proper. Then it was that one of the Gentlemen of the deputation said, "Shall two of our body not wait upon you again to-morrow to receive a final answer?" I replied, "I can give you no hope that my answer to-morrow will be different from my answer to-day." Now the noble Lord interprets that reply to mean, that I could give them no hope of our adopting any measure upon the subject—not an interpretation which I think it is capable of bearing, The noble Lord then went into a great deal of declamation, into which I shall not follow him, as to our proposing a certain rate of interest to the Bank. Now, the rate of interest demanded by the Bank, and not only by it but by many private parties, was 8 or 9 per cent. We did think it necessary to fix a rate of interest, and my belief now is, that our naming the rate of interest which we did, constituted the safety of the measure which we authorised. The noble Lord has thought it proper upon this occasion to sing a kind of song of triumph on the calamitous situation of this as contrasted with the extreme prosperity of foreign countries. Amongst other things he has alluded to the French loan. Well, we had occasion to borrow during the course of last Session. The terms offered and accepted were 89*l.* 10*s.*, whilst the loan lately concluded by the French Government was at 75 francs 25 centimes. This does not then show our credit to be so very low. Well, the noble Lord went on—but I find it impossible to follow him throughout—to talk of the calamities which have lately occurred —calamities which he attributed to free

trade and to the state of the money laws. So far, however, as I could understand him, he appeared to prove no closer connexion between the disasters and the system under which they occurred, than can be shown to exist between Tenterden steeple and the Goodwin Sands. There certainly have been free-trade measures, and there has as certainly been a great depression in trade; but any connexion between them the noble Lord utterly failed to establish. Have there been no periods of depression of commercial credit at other times? Have there not been such periods in 1793, in 1825, in 1839; and to go further back than any of these epochs, was there not a time of great commercial prostration in 1775? And yet at those periods many of the laws and duties which we have since abrogated existed in full force. They existed, but no laws of protection were found able to prevent those instances of depression and revulsion of trade which this country has unhappily so often seen. I agree partly in what the noble Lord says as to railroads. I have not attributed so much evil to the construction of railroads as has been ascribed to it by many. No doubt railway speculation is to be taken as one of the causes of present depression, as great American loans, great South American loans have had their share in producing former panics. But to lay the whole of our present sufferings to the door of railroads, is to give the evils caused by them an exaggerated importance. The fact is, that whether we have protection or free trade—that be the laws as to trade what they may, and as to the currency what they may—I believe that this country, by its industry and activity, having risen to a state of great prosperity, on which is built a system of artificial and fictitious credit—Sir, I believe that that system is sure, at one moment or another, to bring down a revulsion such as that which we have lately seen—and I fear, Sir, that such results are inseparable from the great enterprise for which our merchants are distinguished. The noble Lord referred to the prosperous condition of foreign countries, and spoke of the prosperity of Belgium and Prussia; but the reason for that is, that the exchanges of those countries is not so great as among us, and that a panic does not extend among them as it does in a country whose transactions extend over every part of the civilised globe—affected, as they necessarily must be, by the events which take place in different quarters of the globe, and which no one can foresee. It was said long ago by Lord Chatham, that "the credit of the country was a sensitive plant, which shrunk the moment it was touched;" but if that was true in the time of Lord Chatham, what is the case now, when our transactions are so much more extended, and our substantial wealth so much greater than at that time? If it be the case that credit is so sensitive, and if undertakings have been entered into, and engagements of trade and of other natures have been made, which are beyond the available capital of this country at the moment, there must be, in consequence of that undue extent of engagement and undertaking, a change and a collapse throughout the kingdom, during which the country must necessarily undergo suffering and distress. The noble Lord has told us a great deal about the exceeding cheapness of cotton at Liverpool; and he seemed to think that this, in some way or other, was the consequence of free trade. I really, Sir, do not know what he meant by his reference to this fact. Does the noble Lord mean to say it is a misfortune that Liverpool should be a great depôt for cotton and cotton goods? Does he mean that it is a misfortune that cotton should be brought there in great quantities—that even the continental manufacturers and merchants seek for it there—that they buy it according to the prices of the market—and that at one time when speculation has raised the value of the article unduly, they cannot buy it but at a high price, and when there is a panic, they can purchase it at a low price? I should have thought, that bringing those merchants to Liverpool was rather an advantage than otherwise; and that to bring purchasers into the market when cotton was low, was a circumstance which the Liverpool merchants could not be disposed to grieve at. Sir, is it the noble Lord's complaint that cotton and woollen goods have been admitted to the injury of our manufacturers in consequence of free trade? I think, Sir, that can hardly be the case, because when long ago cottons were at 50*s.*, and even as high as 60*s.*, and when woollens were at 70*s.*, and when we were selling them all over the world, in the markets of the continents of Asia and America, and competing with these nations in their own markets, there was no real protection—the existing law was of no avail, and, as Mr. Huskisson said, it had long ceased to exist as a substantial protection. The noble Lord could

not complain of free trade on this ground. Is it, then, the great admission of corn during the past year he complains of? Does the noble Lord mean to say there is any class of statesmen in the House, or in the country, who are neither political economists nor free-traders, but who are determined on protection when wheat is at 110*s.* a quarter? Would he impose a protective duty on the country at such a time? Would he wish us to have the Act of 1828, of which I have heard the noble Lord speak in terms of commendation, which, when the price rose to 72*s.*, imposed a duty of 1*s.* a quarter on wheat? [Lord G. BENTINCK: You never heard me speak in commendation of the Act of 1828.] I am mistaken in attributing to the noble Lord any expression in favour of that Act. Perhaps the noble Lord is in favour of a more protective and prohibitory law. But whether or no, it is for him to explain if he would have a duty of 20*s.* or 30*s.* a quarter, when the price of wheat is at 110*s.* It is evident the system could not have been maintained, and that in admitting corn in whatever quantity it could be brought during last year, we had the general assent of this and the other House of Parliament, and of every rational man in the country, who one and all said, "Whatever the quantity of corn may be that you can get in at a low duty, or at no duty at all—whatever may be the difficulty of paying away bullion, if you have to send out many millions to pay for it to foreign countries, yet the state of famine is such that you must buy it wherever it can be bought." It was not free trade did this. Just the same must have taken place if we had had strict protection. It was an emergency, and therefore an exception to every general rule. But it also appears, according to the noble Lord, that tea and sugar and cotton are all at very low prices, and that those who have imported those articles are selling them at a loss. This is not the effect of free trade. Free trade does not tell gentlemen to import goods at a loss; but it leaves them to adopt their own speculations. These, it is true, may fail. They have, it seems, mistaken the prices at which these articles may be sold at a profit; but the free-traders are of opinion that, leaving manufacturers and merchants to their own views of loss and profit, to import tea, sugar, and cotton, is far better than laying down by Act of Parliament the prices at which each of these articles may be sold. But it is by no means a *sine quâ non* that merchants should suffer loss by these speculations, nor do we oblige them to go on importing if they find they cannot meet with a reasonable profit in their undertaking. And now, Sir, I come to the actual state of the country. The noble Lord thinks that protection and the laws relating to the currency have brought us into a state which he calls no less than one of shame, of bankruptcy, and disgrace. Sir, I should be very sorry if those terms were applicable to this country. I do not consider they are so by any means; I consider that owing to the very great extent of speculations, which, if they had not taken the course of railways would have taken some other course of equally great expenditure, and owing to the calamity which obliged us to import food from abroad to no less an extent than the value of 30,000,000*l.* and to other circumstances to which I need not more particularly refer, we have had a very great revulsion of trade, and that great distress has fallen on the commercial and manufacturing districts; but I do not for an instant believe that we are in that state of shame, of bankruptcy, and of disgrace which the noble Lord attributed to us. I do not believe that we shall not rise again to a state of prosperity, and by the energy and intelligence of the British merchant and manufacturer, with the advantages we possess for trade and commerce, that we shall not again enter into competition with every nation in the world. But, Sir, looking back to the nine months that terminated with October 10th, and looking back to the whole of this year, not excepting even the last two months of calamity, I do not find any reason to consider this country in that state of ruin which the noble Lord—not, however, without apparent hesitation—seemed to assert we were in. I find, on looking to the returns, that, in the nine months ending October 10th, 1845, the amount of articles of British and Irish manufactures exported from the kingdom was 41,732,000; that for the same period in 1846 it was 40,800,000*l.*; and for the same period in 1847, 39,975,000*l.* This does, to be sure, exhibit a difference as compared with the two preceding years; but it is no such falling off as should inspire any one with despondency, or that, coming after those prosperous years, it is such a falling off as should dispirit any one looking to the future for the permanent prosperity of the country. Sir, this is a severe, but it is at the same time a temporary calamity. Have we not, even as it is,

exported great quantities of manufactures to meet those great imports of food and corn from America. I find that the exports from Liverpool of British manufactured goods to the United States for the three quarters ending October, 1846, were to the amount of 4,529,586*l.*, and that for the three quarters ending October, 1847, they amounted to 6,791,000*l.*, making a difference in favour of exports this year from Liverpool to the United States of 2,261,414*l.* This fact shows us, that according to the wholesome process of trade and exchanges, the food we imported to this country in greater quantity than usual had been the cause of a greater export of our manufactures. Sir, it is to that export of manufactures, to the return of the gold we have sent abroad to pay for corn, to a favourable state of the exchanges, and to several other circumstances on which I need not dwell at present, that I look for the restoration—not for the immediate, but for the gradual restoration to a better state of things—to a state of improved trade and increased employment, and from that I hope to our wonted prosperity. The noble Lord has spoken of the estimates, and said it would appear from Her Majesty's Speech that they were to be framed according to the rules of political economy. But that phrase was not used in the Queen's Speech. The words really used were, that "the estimates will be framed with a careful regard to the exigencies of the public service." And I assure the noble Lord and this House that be the state of the revenue what it may, that anything we think necessary for the maintenance of the establishments of the country, or anything we at any time think essential to her defence, we shall ask Parliament to approve of; that we shall not be deterred from doing so by any fear of meeting with the disapprobation of the House in asking for such supplies as we think necessary for these purposes; and that if we think them necessary, we shall not fear that disapprobation, because we believe it to be the character of this House to give such supplies as may be necessary for the State, and to take care that this realm of England be properly supplied with all means of defence, and that her greatness and empire be maintained on the same scale as it has been hitherto. Entertaining these views, Sir, I differ from my noble Friend as to the condition of the country. I agree with him only in his statement of the facts as they relate to the present state of our affairs; and I do not at all concur with him when he said there never was so gloomy a Speech from the Throne as that which was delivered at the commencement of this Session of Parliament. I know that there have been far more gloomy Speeches from the Throne; but I have always read, that in periods of greater difficulties, in times when I took no part in public life, those difficulties were surmounted. I believe that this period of difficulty will be surmounted, I will not say by the wisdom or by the measures of the Government, but by the energy and by the noble character of the nation; and, as far as going along with it in its struggles, in assisting its efforts, and in not despairing of its fortunes, can bear me out, I will say the Government will prove itself not unworthy of the nation.

Mr. ROBINSON said, his experience told him that in every fresh difficulty and crisis of this sort the country did not recover its elasticity and return to the same advantageous and prosperous condition it was in before, as the noble Lord seemed to imagine. But how was it that, after a period of thirty-two years of uninterrupted peace, they found themselves in a condition which, without any despondency, was, in his opinion, infinitely more discouraging than any other he recollected? Looking to the advantages we possessed, if we used them rightly, and to the enterprise of our merchants, he was not one to take a desponding view of the future; but he would tell the Government that if they relied too much on the energy of the people, and that energy was not assisted and supported by the Government, the country would continue to retrograde, as it had done for several years past. With respect to the navigation laws, he had looked with much attention to the precise words in Her Majesty's Speech on the subject, and he did not object to them. He did not object to inquiry into those laws, with a view to consider whether any or what relaxation or modification might be made in them applicable to the existing state of things, and the maintenance of the maritime interests of this country and its dependencies. He would not be tempted, at such a time as that, to go into any discussion; but he would implore the House not to consider the present state of things as one to be lightly passed over. He was glad to find, with respect to our monetary system, that the Government intended to appoint a Committee of Inquiry, and that the inquiry

was to be general; for nothing but a searching and faithful inquiry into the complicated difficulties by which the country was surrounded, would, in his opinion, afford the slightest chance of relief from its embarrassment. If such an inquiry was made, and the Government was sincere and not imposed on by those notions which the noble Lord (Lord J. Russell) must have imbibed from persons less informed than himself, and by those fanciful theories with which the free-traders had for many years deluded the country, he believed that the state of things would recover, and prosperity would be restored. He had not yet seen the hon. Member for Stockport in the House; but he should like to ask him whether the predictions he had made as to the benefits the manufacturers were likely to derive from free trade had been fulfilled. The manufacturers might suffer the last, but they would suffer not the least; and he would tell them, that if they were so selfish as to call for the withdrawal of protection first from agriculture, then from the West India Colonies, in the cultivation of sugar, and afterwards from the shipping interest, the mischief that would fall upon those several interests would afterwards fall upon themselves. As a test of our commercial policy, he looked to the condition of the labouring classes; and in his opinion no class had a deeper interest in opposing the principles of free trade than the labouring population of the country.

Mr. HUME was surprised that any hon. Member with the information of his hon. Friend could stand up in that House and question the allegation of the noble Lord (Lord J. Russell), that from every great commercial crisis the country had gradually recovered, and regained its former state of prosperity. His hon. Friend was chairman of a society in which the shipping interest was much concerned, and he would find, that whilst in 1825 the number of British ships was 19,000, and the tonnage 2,000,000, the tonnage was now 3,000,000, and the number of ships had increased in proportion. Again, let his hon. Friend look around him in every town, and especially in this metropolis, and see how great an accession of houses, and addition to every kind of property, there had been, and then how could he say that things had not recovered? His hon. Friend had referred to the navigation laws. If his hon. Friend would read the evidence taken before the Committee in the last Session, he would see that those laws were more detrimental to the shipping interest than anything else. Wherever protection had been removed, a beneficial effect had been produced. So long as the silk trade was confined to Spitalfields, and competition was excluded, they heard every two or three years of distress amongst the weavers, and of subscriptions for their relief; but when a change took place in the trade, and competition was admitted, they heard no longer of that distress. It would be the same with the shipping interest. None had been more frequently spoken of as a losing interest for two or three years together, and then it took a spurt. He must, therefore, express his regret that his hon. Friend should venture upon such opinions as he had expressed. The noble Lord (Lord J. Russell), in answer to a remark of the noble Lord opposite, had brought forward a statement of the exportation of cotton. Why, did the noble Lord opposite know that in 1825, from excessive speculation, when the Bank could do what it pleased, cotton was raised from 10*d.* a pound to 1*s.* 3*d.* and 1*s.* 6*d.*; and what was the quantity of cotton imported? In 1824 it was 149,000,000 lb.; in 1825, 222,000,000 lb.; and in 1826, 177,000,000 lb.; and what took place? His hon. Friend behind him, who was lately president of the Chamber of Commerce at Manchester, would recollect the fact that the merchants, instead of exporting cotton at a loss of $2\frac{1}{2}d.$ per pound, were obliged to export it at a loss of 1*s.* per pound. That was a necessary effect of over-speculation. Whether the Bank was under restriction or not, after a period of gradual progress towards prosperity, the degree to which credit rose was of itself one of the causes of the evils that followed. Would his hon. Friend opposite venture to say that half a dozen or a dozen of the largest houses that had recently failed were wealthy? Why, many of them had been in a state of insolvency for years. It was only the state of the country that exposed their condition, and prevented greater evils. Nothing could be more unfortunate than the existence of such large concerns, possessing great credit, and thereby interfering with the prudent and attentive man of business. With the credit they possessed they had sustained themselves for years; but, when he saw one house failing for 1,000,000*l.*, another for 1,500,000*l.*, and a third for 500,000*l.*, he would venture to say, that if they would look to the manner in which those debts had accrued, not one in ten of those houses

ought to have been in existence ten years ago. It was for the benefit of commerce that they should be removed. He was sorry for the victims, and that the failures should take place all at once; for he would rather that those houses had gradually decreased and declined without coming together to that result which had spread alarm in the country, and which was most dangerous to the credit of small dealers and men who went on in a moderate manner. One of the best means of restoring things to a prosperous state was to prevent extravagance in the public service; to bring the expenditure within a proper limit. He was always for paying well those who did serve the public; but not those whom they did not want. He would, for instance, save 1,500,000*l.* by doing away with the absurd blockade of the coast of Africa; and he hoped, before any attempt was made to renew the income-tax, a proper explanation would be given why the people of England were put to such an expense. He had moved for a return which would show the House the enormous amount this country had paid, and which had only ended in an aggravation of the horrors of the slave trade; and he could not think that the time was far distant when the country would put an end to that expense. He believed it was most mischievous, and that for every slave that would, but for their interference, have been destroyed on the coast of Africa, they were at that moment the murderers of some 50,000 or 60,000. So far from the cause of humanity having in any way been served by their proceedings and so-called precautions on the coast of Africa, the slaves were now crowded in smaller vessels than ever before were used, and the revolting horrors continually perpetrated for the purpose of avoiding detection exceeded anything that had ever been known even in the worst days of the slave trade. That trade had become a mere matter of smuggling—man-smuggling; and, while he agreed heartily with those who said that it ought to be put down, no matter at what cost, he protested against the absurd course they were at this moment taking to attain that philanthropic end. Let those measures be at once adopted which would make free labour cheaper than slave labour, and their purpose would be accomplished. He entirely agreed with the noble Lord at the head of the Government in thinking that this was one of those ordinary and occasional calamities which, be their legislation what it might, would be perpetually checking the progress of a country situated as was England. The point was to ascertain in this instance what was the real as well as the proximate cause of the disaster. He hated all restrictions on banks; he was for free trade in that as in every other branch of business. He had stated at the time when the Act of 1844 was under discussion, that it was bad in principle, because it pretended to provide a standard, and did, in effect, make the bank of issue a separate establishment; and he had then prophesied, what had since proved true, that it would utterly fail in obviating such a season of distress as this at certain intervals. It seemed to him the most inexcusable inconsistency to grant to every man in the kingdom power to pursue any particular trade or trades without restraint, and then, at the same moment, to limit ruinously those exchanges by which only any negotiations could be carried on. He was not of opinion, nevertheless, that the recent measure of the Government was a wise one. It had practically had little effect beyond removing an unfounded degree of distrust and alarm; it had not added one shilling to the capital of the country; and no man in reality found himself one whit the richer in consequence. He therefore regretted that, great as the emergency was, the Government had had recourse to such an invasion, not to say infringement of the law; the precedent was bad, and if often followed, would leave them without any security at all for the stability of systems which had been deliberately approved of by the nation. Though not approving of this part of the policy of Her Majesty's Ministers, he would not oppose the Address. It was with the greatest satisfaction he had listened to the explanation of the noble Lord that he was opposed to asking from Parliament any extraordinary powers for the enforcement of the law upon the population of various districts in Ireland. He had, throughout, resisted every attempt to overawe a people, and to maintain that profitless system of coercion in which statesmen once found their only resource. He cordially concurred in all the observations made on this subject the preceding evening by the hon. Member for Northamptonshire (Mr. Stafford). Certainly that House was called upon to grant to the Government every assistance in putting down the crimes which disgraced some parts of Ireland; and it would be their duty, also, in passing measures of that nature, to

take into consideration the means which were wanting to ensure the future and permanent prosperity of that country. In the Speech addressed to Parliament last Session by Her Majesty, She directed attention to the "permanent condition of Ireland;" in the Speech of this Session not one word was said upon that topic; and this omission would lead to the belief that nothing was intended to be done for the permanent establishment of order and the effectual creation of wealth in the sister kingdom. The hon. Gentleman who first addressed the House, had alluded to the state of the Church in Ireland. Thirty years ago he had spoken of the abolition of the Establishment in Ireland as the only remedy for the discontent of the majority of the people; and if so late as 1824 that step had been taken—if the privileges conceded to Scotland and England had been extended to Ireland—and if the Roman Catholics, as the majority, had been relieved from the predominance of the religion of the minority—there would now have been no cry for the repeal of the Union. The Protestant Members of Parliament were the most strenuous in their opposition to such a course; they said, "We who have property in Ireland know best, let us alone; we are the proper judges of what is wanted." They had been left alone, and what was the result? Why, that that property had been swept away, or rendered unproductive, which, had the people been contented, happy, and prosperous, would have increased tenfold in value. This then was the time to get rid of the all-absorbing evil of Ireland. Let the Church Establishment be at once got rid of, and let the people be placed on the same footing and equality as the people of England. It would be with great reluctance that he should be induced to give his consent to a Coercion Bill; and the only reason why he should forego his aversion to such a course was the confidence he placed in the Earl of Clarendon. The conduct of that nobleman in Ireland had been admirable, and he was assuredly as fit to be entrusted with extraordinary powers as any Viceroy he had seen in his time. It was a matter of regret that the noble Lord, in the course of his speech, had not given the House some account of the result of our interference with Portugal, and of our proceedings in Spain. Perhaps the noble Lord at the head of the Foreign Office was sorry that he had not left his neighbours to fight out their own quarrels; and if he would look to the history of the last nine or ten years, he would find that in every case in which we had intermeddled with the internal concerns of neighbouring countries to the neglect of our own, whatever might be the momentary *éclat* attending our generosity, permanent and essential injury had been done both to the people interested and to ourselves. And then it was well to remember that we could not afford such interference. The fleet which we were now maintaining in the Tagus for the support of the rotten Government of Portugal, cost us at least 1,000,000*l.* a year; and the expenses of our navy, which was principally in requisition by other parties, were at this moment most unreasonably high. In conclusion, he begged to say, that with these reservations he would agree to the Address, and to the report; and he trusted in a short time to see, by the co-operation of the Government with the industrious people of this country, our trade again flourishing and our prosperity as well founded, and as undoubted as it had been three years ago.

Mr. BANKES wished the hon. Member for Montrose had, before he sat down, enlightened the House by mentioning some of those foreign countries which were anxious to follow our free-trade policy, and to adopt the principle of reciprocity in commercial treaties. Did the hon. Gentleman allude to the Republic of Equador, and, if not, to what other State? He was rather curious upon this head, and perhaps the hon. Gentleman would satisfy his curiosity. He remembered when the right hon. Baronet the Member for Tamworth introduced this subject, with all the power of his eloquence and all the weight of his authority, he expressly mentioned at least two States which would participate in this policy with England—Naples and Prussia. Naples, he said, had already entered into a reciprocity treaty, and Prussia was shaking. For his (Mr. Bankes') part, he thought that treaties of this nature with Naples could not be productive of much advantage, seeing that that country had been the scene of continued revolutions; and, as for Prussia, the "shaking" of Prussia was like the shaking of the needle which steadily pointed to the pole—the "shaking" of Prussia was invariably towards the pole of her own interests, and her policy was quite opposite and adverse to that of late pursued by England. He repeated what he had already stated, that he should be glad if the hon. Gentleman

would give him the name of any country likely to join in our reciprocity policy; and if not, judging from the past and surveying the present, and admitting that the experiment of free trade had not had a full trial, the advocates of that measure must at least permit him to say—what indeed none could deny—that all the flattering predictions with which its enactment was ushered in had been utterly and completely falsified. You told us, said the hon. Gentleman, that at least some parts of this question were no matters of experiment, and that beneficial effects, at least to a great extent, must inevitably follow the alteration; you told us that speculations in corn must and would be put an end to; you told us that uniformity of prices would be established; you told us that, in proportion as we imported corn from abroad we should export our manufactures; and how has your prophecy in these respects been fulfilled? Now, firstly, with regard to your predictions respecting speculations in corn. When you commenced this unfortunate career of calamity, every person engaged in that particular branch of commerce. Were those the persons of whom the hon. Member for Montrose spoke as having deserved the hard fate which had befallen them? Were those the houses which had been recently ruined, and which the hon. Gentleman said should never have stood? The hon. Member's animadversions did not apply to the corn speculators. To whom, then, did they apply? Why, to men who had for years pursued a perfectly legitimate course of trade—many of them prosperously—and who owed their destruction to the measures which the hon. Member for Montrose advocated. But what was the fact? Just this—that one of the main grounds upon which the alteration of the law was advocated was, that it would prevent the very species of calamity which the result proved it had actually brought about. In his opinion the sliding-scale would have produced contrary results. He wanted to know when the fluctuation in the price of corn was greater—nay, when it had been so great? The price of wheat in August was 45*s.* per quarter; in the May following, 120*s.* per quarter. Had their manufactures gone forward? [Mr. HUME: Yes, they have.] The hon. Member said they had; but at what prices? He apprehended that it was a most material question whether or no a certain quantity of manufactured goods, or double that quantity, was given for the same amount of gold. Surely this could never for one moment be lost sight of by manufacturers. Well, upon this ground, too, the predictions had been at fault—the manufactured goods had not gone out in exchange for corn; there had been a drain of the precious metals, and, upon the whole, the manufacturing interests were far from being in a flourishing condition. But there was another point, also, in which those prophecies had signally failed. He alluded to the Bank Charter Act, which unhappily had been so prominently forced into the discussion. If he remembered aright, with respect to the panic of 1825, to which the hon. Member for Montrose had adverted, it had been stated, when the Bank Charter Act was introduced, that no such panic as that would again occur; for the Act itself was brought in for the purpose of preventing it: and yet that was one part of the question. Was it not the question, within three years of its passing, and after witnessing one of the most severe and ruinous panics that had ever occurred in this country? And the result would have been much more disastrous if the Chancellor of the Exchequer, the disciple of the right hon. Baronet the Member for Tamworth, had not, with the noble Lord at the head of the Government, suspended its operation. "Oh, but," said the hon. Member for Montrose, "I think the suspension of that Act was a very blameable measure. I do not think that this suspension was of any use, unless it was the restoring of a little confidence and credit." Why, he (Mr. Bankes) submitted that a country like this existed and traded on credit. It had been said by an eminent statesman in this House, that credit was the sunshine, if not the sun, to this country. Well, then, in what position had they been? Their credit was gone, their gold had been exported; and when sunshine had been partially restored by violating this Bank Act, the hon. Gentleman spoke of it as the "restoring of a little confidence and credit." He thought the Government had much to answer for that they did not make this relaxation at an earlier period; and he must say that the noble Lord at the head of the Government had, notwithstanding the challenge which had been so plainly given to him, altogether avoided telling the House why the Government did not take the step they took at an earlier period, and what was the reason for taking it at that particular time. For not taking this course sooner, the Government was,

in his (Mr. Bankes's) opinion, responsible for much of the disaster which had befallen commercial houses. For want of credit they were obliged to surrender. That credit could in many instances have been afforded by an earlier interference. The Government, it was admitted, possessed the power—they had exercised the power; why not, he repeated, exercise it at an earlier period? Why hold back until a certain number of great houses had fallen? Was it for the Government to select the firms which they would suffer to fall, and those which by their aid might be permitted to stand? The hon. Member for Montrose said there were some ten or twelve great houses which deserved to perish; which ought never to have stood; and which ought to have fallen sooner. But would the Government avow this was the reason of their hanging back—that they wished certain firms to fall before they would apply any remedy? If that was their reason, let them openly avow it; but if not—if, as it was admitted, stable houses of good repute and long standing had yielded to the pressure—why then the mercantile community were justified in holding the Government responsible for the destruction of those firms. He felt quite sure that the right hon. Baronet the Secretary of State for the Home Department would be the last man to do anything which was not perfectly consistent with propriety; but there was a statement in the public newspapers to the effect that he, as the representative of one of the northern counties, was the immediate cause of the relaxation which had taken place, and that the Government—having resisted all other applications—having stood out against the citizens of London, of Newcastle, and of Liverpool—had yielded at last to the urgent solicitations of those connected with the collieries. At all events, there must have been some peculiar urgency which forced the Government to do at last that which they so obstinately and daringly refused to do at first. Now, he did think that House was entitled to some explanation upon this head; and that either the noble Lord (Lord J. Russell), or some other Member of the Government, was bound to inform the House what that urgency was. The hon. Member for Montrose blamed the Government for violating the laws by this relaxation. But the hon. Member, as a supporter of the present Government, ought to know that it was no new thing for that Government to violate the law; and if he continued to support them, he would get used to those violations. Within the last two years, during which they had been in power, they had twice violated the law. In this case it was true he approved of the violation, and wished they had gone further than a mere temporary violation, because there could be no doubt but much calamity had been averted; but he fully agreed with the hon. Member that it was no light matter to violate the law, and especially for a Government to violate the law, even when that violation was for the public advantage. He could not help observing upon the singular manner in which this violation had been alluded to in the Royal Speech. He must say that the phraseology in which this allusion was couched was not only unusual in Royal Speeches, but he believed almost unprecedented. Her Majesty was put forward as the original propounder of this breach of the law. The words were—

> "Her Majesty has seen with great concern the distress which has for some time prevailed among the commercial classes. The embarrassments of trade were at one period aggravated by so general a feeling of distrust and of alarm, that Her Majesty, for the purpose of restoring confidence, authorised Her Ministers to recommend to the Directors of the Bank of England a course of proceeding suited to such an emergency."

He would have thought the usual mode of expression to have been something after this manner—"That the Government felt it to be their duty to submit to Her Majesty the propriety of departing in this instance from a Parliamentary enactment." It was singular that, according to the communications which had appeared in the newspapers, between the Government and the Bank of England, the only parties who seemed to take any part on behalf of the Government were the noble Lord the Member for the city of London, and the right hon. Gentleman the Chancellor of the Exchequer. What had been done seemed, from what had been published, to have been the acts of those Gentlemen, and not at all the Government as a body. The great inconvenience of the relaxation was the high rate of interest which it directed, and that was another reason why the name of the Sovereign should not be put forward. Her Majesty was represented, not merely as directing a violation of the law, but that a usurious rate of interest might be extracted from Her subjects. Surely it would have been more becoming in the Government to have refrained from putting forward the Sovereign in so unpopular and

odious a light. He could not ascertain, from the statements which had been made, what was the definite determination of the Government respecting the Bank Charter Act; but the Chancellor of the Exchequer told them that whilst Parliament sat they might go on as they were, because if any difficulty arose the Parliament could interfere; but the right hon. Gentleman had not condescended to tell them whether, towards the end of the Session, the Ministers would require from the Legislature certain conditional permission for relaxing the law, or whether they would, without that permission, again violate it. He begged, however, to tell the Government, that although the House, from the peculiar and extraordinary circumstances in which the country was placed, and the urgency of the moment, might sanction this violation of the law which had taken place, it might not, on future occasions, be so willing to extend that indulgence if Government omitted to take proper precautions. He hoped, before they separated to-night, they would have this question answered by a Member of the Government—why had not the Government sooner made the relaxation, and what it was that induced them to make it at the particular time they had done? He called for an answer, and thought that when the House was called upon to sanction a violation of the law, it was at least entitled to an explanation respecting that violation, and of all the circumstances connected with it.

Mr. LABOUCHERE: The hon. Gentleman who has just sat down, reminded the Government that it had been their fate, during the two years they had held the government, to be obliged, on two separate occasions, to exceed the law. It would ill become me to speak lightly of an infringement of the law of the land by the Government; but, on the other hand, I am not prepared to say, if it should be the fate of the Government to be a third year in office, and if circumstances should again arise which should, in their opinion, render it necessary for them to take upon themselves the responsibility of exceeding the law, that they would fear to do so, and then throw themselves upon the judgment of the Parliament of England. That is the only answer I shall make to the observation of the hon. Gentleman, which I apprehend was meant for a taunt. The last two years were marked by extraordinary circumstances. The first occasion to which the hon. Gentleman alluded, when I had the honour to hold the office of Chief Secretary for Ireland, was marked by peculiar calamity affecting that part of the empire. The present occasion, which we have met now to consider, has been marked by great and widely-spread misfortune, affecting the commercial classes of this country; and I should he ashamed of the Government, if, upon either of those two occasions, they had shrunk from taking upon themselves the duty and the responsibility which are attached to the offices they hold, and which are necessary for the public service; or if they had hesitated in putting in exercise any power they might possess to stay the progress of the evil. I do not conceive it is necessary for me to anticipate now that discussion which will far more regularly and properly come on when my right hon. Friend the Chancellor of the Exchequer will state to the House all the circumstances and reasons which led to the course which the Government adopted with regard to that communication with the Bank of England. But when the hon. Member for Dorchester says—"Answer me at least one question; tell me why was this step by the Government taken at this particular time; neither sooner or later?"—I think he must see—the House at least, on a moment's reflection, will see, that it would be utterly impossible for my right hon. Friend, or any Member of the Government, to answer that question without going into the whole circumstances of the case. And, as my right hon. Friend has promised the House to make his statement on a day no more distant than Tuesday, I hope the hon. Member for Dorchester will restrain his impatience, and not ask the Government to do that which they cannot possibly do without at once opening a wide field of discussion. I should not have trespassed upon the House, had it not been for some of the observations of the hon. Member who has just sat down, and other remarks of a similar character. I had hoped that the speech of my noble Friend at the head of the Government had disposed of all that part of the discussion which attempted to connect the recent commercial distress with what some hon. Gentlemen are pleased to term the utter failure of free-trade policy. But all that the hon. Gentleman opposite has advanced under that head, amounts only to this—that you have recently adopted free-trade principles; and it does so happen that in the course of the present year there has been a time of great commercial em-

barrassment and distress. But I must say that some of the observations made by the hon. Gentleman regarding the supposed failure of free-trade policy, did appear to me to be very strongly in favour of that policy. Think of the effect of introducing such a great quantity of grain—10,000,000 quarters! Why, the answer to that is, we very much wanted all this grain. One would think that the most scandalous and wasteful expenditure of our money had taken place in the purchase of this grain; but the hon. Gentleman might as well argue that a man had brought himself to ruin who had spent his money in the baker's shop to purchase bread for his children. It is a remarkable circumstance, and one which I view in a very different light to the hon. Gentleman, that in a time of most appalling calamity in Ireland, when, by a visitation of Providence, the supply of the usual food was cut off, the riches, the energy, the credit of this country should have attracted towards its shores this unusual import of food. In the whole commercial history of this country, I say, I know of nothing which strikes me more forcibly with an impression of the power of uncontrolled trade than this enormous supply of human food. The hon. Gentleman has challenged us to show an instance in which foreign nations have followed our example in free trade; but he has not, I think, observed the conduct of foreign nations with care and accuracy, or he would not have so spoken. My own conviction is, that the example of this country has produced most remarkable results upon the conduct of foreign nations. If I were now entering fully into the subject, I could show that many countries have made the most important modifications in their tariffs, to the advantage of this country, by the reduction of duties; but I will not now go into any memoirs upon that point, further than to mention one instance—that of the United States of America. It was only in December last, that the Legislature of the United States revised their whole tariff, and made the most important reductions in it; and everybody acquainted with the circumstances of that country, knows that the party which pressed for these reductions, and carried them, were mainly assisted with being able to say, "England has altered her corn laws, and has shown a disposition to favour the commerce of the United States." I really feel that I ought not to allow myself to be dragged into a wide field of discussion on the present occasion. At the same time, having heard such confident assertions made by the hon. Gentleman and others on the opposite side of the House, with respect to the utter failure of the measures of free trade, as exemplified in the history of the last three or four years—believing as I do that there is no foundation in fact for making such assertions; and feeling certain that whenever those hon. Gentlemen shall, instead of vague assertions, venture to place their propositions in a tangible shape before the House, and bring forward something like proofs in their support, they will altogether fail in so doing. I felt it my duty to enter my protest against the assertions which have been brought forward in this discussion; and having done so, I hope the House will now proceed to receive the report on the Address.

Mr. NEWDEGATE assured the House he would not detain them many minutes. He had been led to hope by the speech of the right hon. Gentleman the President of the Board of Trade, that he would take pity on the ignorance of the House, and help to enlighten them on the subject of free trade. A few months ago he had moved an Address to the Crown for returns showing the changes which had occurred in the tariffs of foreign countries since the recent change in our customs duties; but to this moment those returns had never been produced, and he had consequently been driven to this conclusion—either that Her Majesty's Ministers intended to refuse to grant those returns, or that they were not aware what changes had taken place in the tariffs of foreign countries. As he had been informed, however, that an Address to the Crown did not terminate with a bygone Parliament, he was still inclined to hope, especially after the speech of the right hon. Gentleman (Mr. Labouchere), that ere long Parliament would be informed what changes had occurred in foreign tariffs in consequence of the relaxation in ours. The right hon. Gentleman had also announced, that although Government had twice violated the law within two years, they were prepared to violate it again if necessary. He did not for a moment reflect upon the violation of the Bank Charter Act which had taken place lately under the authority of Government. On the contrary, he thought it most unfortunate that Government should have allowed so many large and important firms to fail before they did so. He asked the House to con-

sider how many firms had failed under the recent pressure. He had seen a list of no fewer than 117 large and important houses which had stopped payment, and that list was not complete. He begged the attention of the House to the names of some of these firms :—Alexander, Lesley, and Co.; Douglas and Co.; Sanderson and Co.; Reid, Irving, and Co.; Gower Nephews and Co.; Perkins, Mullens, and Co.; Barclay Brothers and Co.; Trueman, Cook, and Co.; Robinson and Co.; the Abingdon Bank, the Liverpool Banking Company, the Newcastle Bank, and the Royal Bank of Liverpool. He hoped the House would not be led away from the consideration of the grave circumstances of the country, by the loose assertions which were made respecting the insolvency of many of these houses had not certain changes taken place in the legislation of the country. Would it be asserted that the West Indian houses would have failed had not their property been undermined by the changes which had been made in the customs duties of our country? Or would it be boldly asserted that these houses had experience, previous to the present time of the pressure which had occurred under the restrictions of the Bank Charter Act? He would not, however, enter into this subject at present. He had merely adverted to it in justice to the many victims who had perished—to the numerous houses which had fallen. He must say that he was surprised that the tone of the right hon. Gentleman the President of the Board of Trade was so cheerful; for if there was any department of the Government the representative of which ought to be in mourning, it was that department of which the right hon. Gentleman was at the head. What were the accounts from Manchester? By the last accounts it appeared that there were 20,000 men out of employment. And what was the state of trade in the other districts? Why, every day brought accounts of more distrust, more mills closed, more operatives being thrown out of employment. For the Government to deny the connexion between this state of things and free trade, was, he thought, to attribute inefficacy to their own measure. He remembered last May hearing the hon. Member for the Tower Hamlets say, that it was an odd and alarming circumstance that during the period when the imports of corn were enormous, there was at the same time a large increase in the import of articles of inferior necessity; and he feared it would have a serious effect on the balance of trade. It had a serious effect. The noble Lord the Member for Lynn did not for a moment attribute the whole pressure to the mere action of free trade upon ordinary circumstances; but when they had it shown by documents before the House that there was increased importation in other articles besides corn, how the right hon. Gentleman the President of the Board of Trade should say that the free-trade measures had nothing to do with the present difficulties, surpassed his poor understanding. He must say too, that the noble Lord at the head of the Government, in his poor understanding, had rather evaded answering the powerful address of the noble Lord the Member for Lynn, who opened the debate. He recollected an expression which the noble Lord had used towards him last Session, when he had counted out the House upon the debate on the affairs of Portugal, that his rescue of the hon. Member for Montrose from the result of a division on that occasion was something like the proceedings of a goddess of ancient days who involved her hero in a cloud and carried him off into obscurity. He thought that the noble Lord had on the present occasion involved himself in obscurity. He would have them believe that it had reached even his understanding. The noble Lord had professed himself unable to understand the proposition of the noble Lord the Member for Lynn, who attributed the export of bullion to the necessary importation of corn, aggravated by the increased importation of other articles; the noble Lord said he was surprised that his noble Friend (Lord G. Bentinck) should complain of the low price of cotton at Liverpool, which had been produced by free importation. Really this was asking the House to believe that the noble Lord was less able than they all knew him to be. The proposition of his noble Friend was this. The exportation of gold destroyed credit by the restriction which was placed on it by the Bank Charter Act. This destruction of credit artificially reduced the price of cotton, which was purchased by those States whose credit was unimpaired, while it was useless to our own manufacturers who were unable to buy it. To say, then, that the noble Lord could see no connexion between the recent legislation of 1844 and 1846 and the present distress, was asking the House to give him credit for a want of understanding which he for one could not assent to. There was one observation of the hon. Member

for Montrose which had fallen heavily on his ear; the hon. Member had said that many of the houses which had recently failed were houses which ought to have fallen, and he was sorry that more of them had not come down. Was that the way they were to deal with those upon whose speculations the whole free-trade measures were founded? Was that the way they were to deal with that credit which alone could bring those exports which produced the balance of trade, and save us from continual exports of bullion? He had seen in the public papers expressions about "sweeping away false credit, and destroying houses which ought not to stand," and about "bringing credit as frequently as possible to the test of capital." What must be the end of such a system? What but the reduction of the means to meet the effects of the free-trade legislation which had been adopted by the House? He not only regretted to have heard such expressions as those he had referred to applied by some public journals to commercial men who were pressed upon by the exigencies of the times; but he had seen language used tending to harden the hearts of our fellow-countrymen against the progressive distress of the working classes. He found the following remarks in the *Spectator* of last week:—

"The worst dark spot in the prospect for the winter lies in the discharge of railway labourers. These men are not numerous enough, perhaps, to impart anything of an insurrectionary character to the disturbances which they are sure to create in want and idleness; but they are strong, brutal men—they have been pampered, they will feel the pinch of destitution, and will be doubly exasperated by the appetite for enjoyment, and the gnawing of hunger in their robust and angry stomachs. Crime will abound this winter—crimes of violence and hateful excesses; and extraordinary precautions must be taken to check the lawless, if we would not have the horrors of stormed cities in our towns and rural districts."

Was this the doctrine of those who professed political economy? If it was at the suggestion of the Home Secretary that Government had agreed to relax the provisions of the Bank Charter Act, the right hon. Baronet had added another to the many services for which the country was indebted to him.

Mr. SCOTT could not allow the debate to close without saying a few words. To his mind, every cause which had been assigned by the Government as a reason for bringing them together, was a subject of condemnation against the Government. If he took the Bank question, or the condition of the commercial world—the mercantile or the manufacturing interest; if he looked at the colonies, or at home, or abroad—whether he referred to what was contained in the Speech, or to what was omitted from the Speech—he declared, upon his honour, that each and all of these subjects formed matter of condemnation of the Government. Ay, the assertion might be thought a broad one; but if they looked at the Speech they would find that almost every topic introduced into it was a subject to Her Majesty of grief, lamentation, and regret. There were only two subjects which were declared to be satisfactory in the Speech. The one was, that the Government had not violated the law; but he declared that if they were not morally and virtually guilty of its violation, by authorising it to be done, then he did not know what violation of the law was. The other subject was, that the landlords of the empire had availed themselves of the facilities offered by Government for improving their estates. With these exceptions, everything else was matter of lamentation and regret. But though the Speech from the Throne had dwelt upon the distress, it had not, in his mind, referred to the causes. Those causes, in his estimation, were, that rather than regard the interests of their own country, they had regarded the interests of foreigners; that rather than respect the home trade, they had respected the trade of other countries; that rather than take those measures which would conduce to the wealth and riches of this country, they had taken those measures which would conduce to the wealth and riches of foreign Powers. Ireland was the only department in the Speech in which Her Majesty's Ministers appeared to recommend what would prove a specific remedy. And the last topic introduced into the Speech was one that would tend to throw out of employment our whole maritime population, and undermine that upon which our strength and independence as a nation rested—he meant our navigation laws. He would therefore state, in conclusion, as he had at the commencement, that Ministers had not assigned a single reason for Parliament being called together at this inconvenient season, which was not, in fact, a verdict of condemnation against their policy.

Report read a second time and agreed to, and ordered to be presented to Her Majesty by the Mover and Seconder, and such Members of the House as are of Her Majesty's Privy Council.

House adjourned at a quarter to Ten o'clock.

HOUSE OF LORDS,

Thursday, November 25, 1847.

MINUTES.] *Took the Oaths.*—Several Lords.

THE QUEEN'S ANSWER TO THE ADDRESS.

The LORD CHAMBERLAIN (Earl Spencer) brought up HER MAJESTY'S most gracious Answer to the Address. The Answer was as follows :—

"MY LORDS,

"I thank you for your loyal and dutiful Address.

"It will be My constant Desire to co-operate with you in Measures calculated to advance the permanent Interests and Welfare of My People."

Address and Answer to be printed and published.

THE SLAVE TRADE.

LORD BROUGHAM begged to ask the noble Earl at the head of the Colonial Department, whether any information would be laid on the table by Her Majesty's Government with respect to any correspondence that had taken place during the last two years on the subject of slavery in Cuba and the Brazils ?

EARL GREY said, it was the invariable practice to lay such correspondence as took place on the subject of the slave trade from time to time on the table of their Lordships' House, and of course there could be no objection to a similar course being followed in the present year.

LORD BROUGHAM inquired what time it was likely any information on the subject would be laid before the House ?

EARL GREY said, it was difficult to give an answer to the question. Many volumes of blue books had already been laid before Parliament on the subject; and he was inclined to think noble Lords were more familiar with the exteriors of these volumes than with their contents.

LORD BROUGHAM said, the reply of the noble Earl only convinced him that it was often easier to ask a question than to answer one.

COMMERCIAL DISTRESS.

LORD STANLEY said, he perceived that a notice had been given in the other House of Parliament, on the part of Her Majesty's Ministers, of a Motion for a Committee of that House to inquire into the causes of the recent commercial distress, and how far it has been affected by the Bank Charter Act of 1844. He was aware also that it was stated not to be the intention of Her Majesty's Government to make any similar Motion in their Lordships' House. He wished, therefore, to give notice that he would, on Tuesday next, move for the appointment of a similar Committee of their Lordships' House. If it would not be trespassing too much on the noble Earl, perhaps the noble Earl could now inform him whether Her Majesty's Government were disposed to offer any opposition to that Motion, or whether they would consent to the appointment of the Committee ?

EARL GREY expressed his regret at the absence of the Lord President of the Council from indisposition, and said he believed it was the intention of his noble Friend, had he been able to attend that evening, to have submitted a similar notice to that just given by the noble Lord.

LORD STANLEY said, after the statement made by the noble Earl, he would withdraw his notice; but, at the same time, he begged to remind the noble Earl that it had been distinctly intimated by the noble Earl himself, the other night, that no such intention was entertained by Her Majesty's Government. His Lordship subsequently said, that instead of withdrawing his Motion, he proposed to let it stand over.

PUBLIC BUSINESS.

LORD REDESDALE begged to ask what was the intention of Government with regard to proceeding with business in that House ? He thought it exceedingly desirable that noble Lords should know when any public business would come before their Lordships' House.

EARL GREY said, it had been before announced that it was not the intention of Her Majesty's Government to introduce either of the measures to be immediately submitted to Parliament in that House. In the absence, from illness, of the Lord Chancellor, and of the President of the Council, such a course would not be very advisable. He was, however, not prepared to say but that one Bill would be introduced.

LORD REDESDALE said, that perhaps

the noble Earl would state to what Bill he alluded.

EARL GREY said, he would rather not explain farther at present.

THE GOVERNMENT AND THE BANK.

LORD ASHBURTON said, he understood the Bank Directors had come to a resolution, on Thursday last, to the effect that it would be inexpedient to continue to the public the high rate of 8 per cent interest, chargeable under the letter of the First Lord of the Treasury and of the Chancellor of the Exchequer; but that they had to wait until Monday, the day before the meeting of Parliament, before the Government authorised them to carry that resolution into effect. He wished to know if the facts were as he had stated.

EARL GREY complained of the extreme inconvenience arising from the practice of noble Lords putting questions without giving the usual notice of their intention. He was unable to inform the noble Lord further than that his right hon. Friend had an interview with the Governor of the Bank of England on the subject of the resolution in question, and that he had no doubt but that the course taken was in accordance with the arrangement made between them.

House adjourned.

HOUSE OF COMMONS,

Thursday, November 25, 1847.

MINUTES.] PETITIONS PRESENTED. By Lord Ashley, from Suffolk, Mr. Frewen, from Elgin, Mr. Goring, from Sussex, Sir R. H. Inglis, from Chatham, and Mr. Littleton, from Stafford, against the Removal of Jewish Disabilities.

EDINBURGH ELECTION.

MR. SPEAKER informed the House that he had received the following letter from Mr. Cowan, one of the Gentlemen returned at the last election for the city of Edinburgh:—

"House of Commons, Nov. 19, 1847.

"Sir—I beg respectfully to state, that at the recent Election I had the honour to be chosen one of the Representatives in Parliament for the City of Edinburgh. It was not until some time afterwards that I became aware of a disqualification attaching to me, from my having, at the time of Election, been a party to a contract then subsisting with Her Majesty's Stationery Office. I apprehend, therefore, that I was 'unduly elected,' and that, although I am no longer a Government contractor, I should nevertheless be liable to actions for heavy pecuniary penalties if I should now sit or vote in the House. While I entertain the utmost deference for the authority of the House, and while I have no desire to shrink from the discharge of the duties which I owe to my constituents, the position to which I have referred renders it necessary, in the opinion of my advisers, that I should decline to take the oaths or my seat; and I have respectfully to request that you will, as early as convenient, have the goodness to communicate this my intention and desire to the House of Commons.

"I have the honour to be, Sir, with great respect, your very obedient servant,

"CHARLES COWAN.

"The Right Hon. the Speaker
of the House of Commons."

BUSINESS OF THE HOUSE.

Mr. BROTHERTON said, he wished to offer a suggestion to the House which would materially promote the public business. Would it not be expedient that, until after the Christmas holidays, Orders of the Day should take precedence of Notices? No Member, he was sure, wished to stay in town at this season of the year; but whilst they were there, they ought to confine their attention to public business of the greatest importance. If his suggestion were adopted, public business would be expedited, and the convenience of Members promoted.

THE BANK OF ENGLAND.

MR. HINDLEY moved for a return of the minimum rate of discount charged by the Bank of England since the Act of 1844.

The CHANCELLOR OF THE EXCHEQUER said, there was not the least objection to furnishing this information.

MR. F. T. BARING suggested, that, as there would be much discussion concerning the Bank, in which many papers would be required, it would be desirable to have the whole information given at once. This course would save a great deal of inconvenience, not only in the pending discussions, but to everybody who might hereafter have to refer to the debates.

The CHANCELLOR OF THE EXCHEQUER was desirous of giving the House the fullest information upon the subject; but his notion was, that the first duty of the Committee, which he should have the honour to move for on Tuesday, would be to determine what information would be proper to require from the Bank. He was perfectly ready to communicate beforehand with the Governor and Deputy Governor in order to obtain that information which was likely to throw the fullest light upon the subject; but he did not like to take upon himself to say what information should be

laid on the table, because he conceived it would be better for a Committee to decide what they would require. The information moved for by the hon. Member ought to be given; but it had not been usual for that House to order any returns from the Bank of England, except those which by law the Bank was compelled to make, without previous communication with the Governor and Deputy Governor.

Return ordered.

ENTAILED ESTATES (SCOTLAND).

Mr. B. COCHRANE asked whether it was the intention of Her Majesty's Government to introduce any measure for the relief of entailed proprietors in Scotland?

Sir G. GREY replied, that a Bill for this purpose was in an advanced state of preparation, which he hoped would be introduced shortly after the recess.

LAW OF SETTLEMENT.

Sir J. PAKINGTON asked the right hon. Baronet the Secretary of State for the Home Department whether it was the intention of Her Majesty's Government to introduce any measure this Session for altering the laws of settlement of the poor.

Sir G. GREY replied, that at present it was not the intention of Her Majesty's Government to introduce such a measure; but in stating this, he did not preclude himself from taking any course in future which might lead to a satisfactory settlement of the question.

BRIBERY AND CORRUPTION.

Sir J. PAKINGTON asked whether Her Majesty's Government intended to take any proceedings in that House in the course of the present Session in consequence of the extent to which bribery and corruption were imputed to have prevailed at the late general election.

Lord JOHN RUSSELL replied, that the Government had no such intention.

ROMAN CATHOLIC CHARITIES AND DISABILITIES.

Mr. CHISHOLM ANSTEY moved for leave to bring in two Bills; the first to amend the laws relating to Roman Catholic charities, and the second for the further repeal of penal enactments against Roman Catholics on account of their religion. The first of these Bills related principally to Roman Catholic charity trusts. Down to a very recent period, the law of superstitious uses and the laws resulting from it declared it to be illegal to make any endowment for the promotion of the Roman Catholic religion. The enactments by which relief was given subsequently, took away some of the stigmas under which Roman Catholics laboured; but with respect to their charities, there was considerable doubt as to the retrospective effect of those relief Acts, in consequence of a decision of the present Lord Chancellor of England, that charities—by which he meant chapels, schools, and colleges of every description, endowed for the support of the Roman Catholic religion—if founded when the law of superstitious uses was in force, were at this day liable to forfeiture. He proposed by this Bill to enable Roman Catholics, for the first time, to seek in the courts temporal the due administration of their charitable trusts. At this moment they were entirely at the mercy of their trustees; the trustees might be guilty of any amount of maladministration, without the Roman Catholics, for whose benefit the trust was created, daring to seek relief, because the issue of an application with that object might be a declaration that the charity was *ab initio* illegal, and continued illegal. This was felt to be an injury by Roman Catholics; and though they had long been sensible of it, they had neglected to apply for relief. But now that the Lord Chancellor had signified his intention to bring in a Bill for the better administration of charitable trusts, and for the discovery of all trusts, secret and public, Roman Catholic and Protestant, the Roman Catholics (in whose name he had the honour to appear) had naturally taken the alarm, and in their name he proposed this Bill, which would have all the effects proposed by the Lord Chancellor with regard to Protestant charities, and get rid of the great injustice from which Roman Catholics had so long suffered. If the Lord Chancellor's Bill were to pass at this moment, the immediate result would be the forfeiture of forty-nine out of every hundred of the Roman Catholic charities in England and Wales. He was satisfied this was not the intention of the noble and learned Lord, though the noble and learned Lord's Bill would have this effect. The Roman Catholics had no desire to screen their charities from the fullest investigation; and they were quite willing to leave to the courts temporal the administration of their trusts. In short, he only proposed to extend the provisions of Sir Samuel

Romilly's Act. The second Bill was the same as that introduced by Mr. Watson in the last Session; its main provisions must, therefore, be known to hon. Members, and he should not detain the House by explaining them. The hon. and learned Member concluded by moving for leave to bring in a Bill to amend the laws relating to the charities of Roman Catholics.

SIR G. GREY would not interpose any obstacle to the introduction of the Bill; but he apprehended the hon. and learned Member would find more difficulty than he anticipated in its progress. A Bill of a similar character had been introduced by the hon. and learned Member for Devonport (Mr. Romilly), and withdrawn on finding it was so much opposed to the wishes and feelings of the persons it was intended to benefit. In consenting, therefore, to the introduction of the Bill, he did not pledge himself to do more than give to it a fair consideration. As to the Bill for the removal of disabilities, he had no objection to the introduction.

SIR R. H. INGLIS apprehended that some of the laws which the hon. and learned Member proposed to repeal, were the laws of mortmain. In other words, the hon. and learned Gentleman, in a Bill which he limited expressly to the case of Roman Catholics, proposed to repeal the laws of mortmain in their favour. Her Majesty's Government would do well to instruct the law officers of the Crown to watch this Bill, to see whether, in point of fact, it did not greatly hazard the constitutional axioms relating to the supremacy of the Crown. He would take the opportunity of stating, that whereas hon. Members of that House talked of the claims and grievances of the Roman Catholics, and that the very title of the Bill of last year was copied from one used eighteen years ago, namely, "A Bill for the Removal of Roman Catholic Disabilities," the Church of Rome was upon the aggressive in England, and he believed in every other country in Europe. And he asked Her Majesty's Government to be prepared, when this Bill was brought in, to answer this question, which he would then put, "By what authority has the Church of Rome been permitted to create independent dioceses in provinces within Her Majesty's dominions?" And he begged to ask whether there had been any instance in which the Church of Rome had been allowed to exercise that authority in the dominions of any Roman Catholic prince known within the boundaries of Europe? He believed that although the instance he had referred to had taken place beyond the boundaries of Europe, still by the same principle the appointing of Roman Catholic bishoprics would extend even to England and to France. He wished the Government to state whether the consent of Her Majesty or Her predecessors had ever been given to the creation of independent bishoprics within the dominions of Her Majesty in any part of the world? He begged to assure the hon. and learned Gentleman, that, entertaining all his original objections to the measure introduced by the hon. and learned Member for Devonport (Mr. Romilly), and having still stronger objections to the measure of Mr. Watson, he should consider it his duty to continue to oppose those and similar Bills as much as he had ever done upon previous occasions.

MR. HUME said, the House should be on its guard against the observations of the hon. Baronet who had just sat down, who had introduced subjects perfectly separate and distinct from the question before the House. The Bill, as he understood it, was intended to place Roman Catholic charitable property on the same footing as Protestant charitable property; and he did think that the time was come when the House ought to place their Roman Catholic brethren upon the same footing in that respect with the Protestants. That he understood from the hon. and learned Gentleman himself was the intention of the Bill; and so far from expecting opposition to it, he trusted it would receive the support of individuals of great weight in that House who had upon former occasions stated their opinion that all discriminating and oppressive laws with regard to Roman Catholics should be removed, and that they should be placed on an equality with Protestants. He was most happy for these reasons to support the Bill, in order to render justice to the Roman Catholics of this country.

The EARL of ARUNDEL AND SURREY wished the hon. and learned Member for Youghal not to suppose that by his silence he was prepared to support the Bill. After he had seen it he would determine what course to take.—Leave given.

CAPTAIN MORRIS AND THE ROMAN CATHOLIC CLERGY OF CASHEL.

MR. MAHER rose, pursuant to notice, to move—

"For Copies of Correspondence between the Lord Lieutenant of Ireland and the Roman Catholic Clergy of the Diocese of Cashel, relative to Reports made by Captain Morris, a Government Inspector under the Board of Works in Ireland, reflecting upon the Character of certain of the Catholic Clergy of that Diocese."

Having been chairman of the Thurles and Moycarty relief committees in the county of Tipperary, he had an opportunity of witnessing the excellent conduct of the Roman Catholic clergy and their zeal in the discharge of their onerous duties. They were at the commencement ably assisted by the Protestant clergy, with whom they co-operated in the most friendly spirit. It unfortunately happened, however, that Captain Morris, the Government inspector, acting under some unfounded notion, and believing the assertion of some insidious person, succeeded in separating those bodies of elergymen by means of a report to the Commissioners, an extract from which he begged leave to read to the House. It was as follows:—

"The leading members of many of the committees are priests; they have no landed property, and, consequently, have no interest in keeping down taxation; but, on the contrary, have an interest in enabling their flocks to pay them their dues. Some of the resident gentry, from disgust at their proceedings, rarely attend the committee; and others who do are afraid to perform their duty; for if they object to improper persons being put upon the list, the small farmers, who are also found upon the committees, and who are only one degree removed from those employed on public works, soon let it be known out of doors who were the members of the committee who prevented their friends being returned."

He believed that to be a libel, and the best proof that it was a libel was that the committee met in a body, and that they memorialised the Lord Lieutenant to inquire into the assertions made by Captain Morris. They asked the Government to send down a Queen's Counsel, or desire Mr. Gore Jones, the resident magistrate in the town of Thurles, to investigate the matter, and to call on Captain Morris to prove the assertions he had made. That request on the part of the committee was refused. That libel was recorded on the journals of that House; and as it was competent for any Member of the House to have recourse to those records, and therefore to charge the Roman Catholic clergy with the improper conduct imputed to them, he required that the other side of the case should be also upon their records, that the bane should be accompanied by the antidote, and that the denial of the clergy of the crime laid to their charge, and their demand for an investigation, should be laid upon the table of the House. With this view he begged to submit the Motion which he had read.

Mr. LABOUCHERE said, as he had the honour of holding the situation of Secretary for Ireland at the time the correspondence which had been moved for took place, perhaps he might be excused for troubling the House with a few observations on the subject. The facts of the case had been stated clearly and correctly by his hon. Friend who had just sat down. Captain Morris was one of the officers sent down to superintend the distribution of relief in the county of Tipperary. In the discharge of that duty he made a report to the Government of Ireland, and that report was inserted in one of the blue books which had been laid upon the table of the House. He had no hesitation in saying, that owing to the great mass of documents included in those books, expressions had found their way into some of those reports which, whilst he thought it perfectly justifiable for the officers making those reports to send them to the Lord Lieutenant, it would have been better on the whole not to have made public. He had no hesitation in making that avowal. There was a phrase in the report of Captain Morris which implied that some of the Catholic clergy of the county of Tipperary had not done their duty in assisting the Government to check abuses in the distribution of relief. That report was complained of by the Roman Catholic clergy. The House must remember, however, that the charge was made in general terms—no individual charge was preferred. What the Roman Catholic clergy required in their memorial was, that an inquiry should be made, and that the particular clergyman alluded to should be made known. The Government of Ireland believed that no good would result from such an inquiry; and he concurred in that view. At the same time Captain Morris was written to. He stated in reply that nothing was further from his intention than to bring a general charge against the Roman Catholic clergy — on the contrary, that they had acted in a proper manner in supporting the views of the Government; but he added, that in any large class of persons it was almost always the case that some might be guilty of improper conduct, and he said that there were individual clergy of whose conduct he could not approve. Now he asked the House, he asked his hon. Friend,

whether a case of that description should be gone into officially by the Government. He was sure those hon. Members who sat on the Committee last Session, when the name of Captain Wynne was mentioned, would agree with him that no advantage would result from inquiry into every particular case of this description. He assured his hon. Friend that nothing was further from the intentions of the Government than to cast any slight upon the Roman Catholic clergy generally, or on those of Tipperary in particular. On the contrary, from the Roman Catholic clergy as a body, the Government did receive the most valuable assistance, both in relieving the distress of the people, and in preserving the peace of the country. No cases of individual misconduct should ever prevent him stating in the strongest manner his opinion of the admirable conduct generally of the Roman Catholic clergy. They might blame individuals, but he should never forget, and he trusted that the House and the country never would forget, what they owed to the Roman Catholic clergy of Ireland as a body, under circumstances of the most trying and difficult description. He had no objection to lay the correspondence on the table of the House.

MR. J. O'CONNELL thanked the right hon. Gentleman for producing the correspondence. He trusted that in future they should be saved from such very reckless attacks appearing in the public records of that House.—Motion agreed to.

EXCISE LAWS.

MR. HUME inquired of the right hon. the Chancellor of the Exchequer, whether it were the intention of Her Majesty's Government to introduce any measure with the view of altering and amending the present Excise laws?

The CHANCELLOR OF THE EXCHEQUER said, the head of the Excise Department had directed his attention to that subject towards the conclusion of last Session, and had, he believed, been occupied with it ever since; and had employed some of the most experienced officers of the board on the subject. He would not say it was his intention, but he might almost say it was his wish and his hope to introduce a measure in the course of the Session for the removal of all restrictions bearing injuriously on trade, and not necessary for the collection of the revenue.

House adjourned at half-past Five o'clock.

HOUSE OF LORDS,

Friday, November 26, 1847.

MINUTES.] *Took the Oaths.*—Duke of Grafton.

PETITIONS PRESENTED. From the Legislative Council of New South Wales, for the Relief of the Sufferers by the Defalcation of John Edge Manning, Esq., Registrar of the Supreme Court in that Colony.

THE BANK OF ENGLAND.

EARL GREY presented copies of Correspondence between the First Lord of the Treasury and the Chancellor of the Exchequer and the Directors of the Bank of England, respecting the enlargement of their discounts and advances. He would take the opportunity of presenting these papers to answer the question put to him on the previous evening by the noble Lord (Lord Ashburton). The noble Lord asked whether the authorities of the Bank had not addressed a communication to the Chancellor of the Exchequer and the First Lord of the Treasury, on Thursday, the 18th, expressing a wish on the part of the Directors to reduce the rate of interest; and whether, no answer being returned to that communication, the measure was not delayed till the following Monday. The facts of the case were these: The Court of Directors, on Thursday the 18th, came to a resolution that the Governor and Deputy Governor should be instructed to acquaint the First Lord of the Treasury and the Chancellor of the Exchequer, that, in the opinion of the board, the rate of interest might be safely reduced. The Governor and Deputy Governor of the Bank did accordingly see his right hon. Friend the Chancellor of the Exchequer on the evening of Thursday, and informed him of the resolution; but the communication was merely a verbal one, and did not require or receive any formal answer. On Monday, the Court of Directors did reduce the then minimum rate of interest, as they perfectly understood, though they received no answer from the Chancellor of the Exchequer, that the Government conceived, in the present state of circumstances, there was no occasion for any interference on its part; it was, therefore, in the exercise of the discretion that properly belonged to them, that the Court of Directors adopted the proposed measure on the Monday following the interview.

LORD ASHBURTON had stated that the Court of Directors came to the resolution to reduce the rate of interest—a measure, he need hardly tell their Lordships, of great importance to the commercial com-

munity, on the Thursday; and he could not understand why they delayed acting on that resolution till the Monday, unless they were under the impression that it was first necessary to have the opinion or decision of the Government upon it. He did not exactly collect from the answer of the noble Earl when the Government withdrew its letter to the Bank recommending a minimum rate of interest of 8 per cent; but he rather thought it was not withdrawn until after the Thursday. It was quite clear, if that letter was in existence, the Court of Directors could not with any propriety act contrary to the recommendations contained in it, even though they might entertain no doubt of their power to take any course they might deem advisable. If he was not mistaken, the original letter was not withdrawn till the Monday.

Earl GREY thought the noble Lord had not correctly understood his explanation. When the Governor and Deputy Governor waited on the Chancellor of the Exchequer, no formal answer was given to their communication; but his right hon. Friend expressed his opinion that the Directors were perfectly free to act as they pleased in the matter. The letter of the Government to the Court of Directors only contained a recommendation to the Bank that the minimum rate of interest should be 8 per cent. Of course, it was understood that if the Bank of England, acting on that advice, should be obliged to go beyond the law, the Government would apply to Parliament for a Bill of Indemnity. But when the state of the Bank became such, that there was no longer any reason to apprehend a necessity of exceeding the law in making its issues, that letter ceased to have any practical effect; but it was not withdrawn till Tuesday, the day after the Directors carried their proposed reduction of interest into operation. It was in the exercise of their own discretion the Directors fixed Monday as the proper time for commencing the lower rate; but in point of fact, the letter of the First Lord of the Treasury and Chancellor of the Exchequer was not withdrawn until the Tuesday following. He was not sufficiently conversant with the details of banking affairs to say what were the circumstances that induced them to come to that decision; but he had every reason to believe the resolution was entirely in accordance with the opinion of those best able to give one on the subject.

Lord ASHBURTON admitted that, as the Chancellor of the Exchequer told the Directors he had no objection to the measure, no blame could be attached to the Government; but, undoubtedly, some blame was due to those gentlemen themselves, who, knowing the pressure there was for money, and having on Thursday decided on a reduction of the rate of interest, had delayed acting on their own resolution till the Monday following.

Earl GREY believed the Directors had good and valid reasons for postponing the reduction till the Monday. The step was very carefully considered, and they acted to the best of their judgment in fixing on that day for the date of the measure.

COMMITTEE ON THE BANK CHARTER ACT.

Lord BROUGHAM wished to know if the Committee to be appointed to inquire into the effect of the Bank Charter on the commercial condition of the country was also to consider the effect of the expenditure on railways, in reference to recent commercial embarrassments? Would it come under the cognizance of that committee, or would another be charged with that important question? He was supposed to labour under a great prejudice on the subject of railways, but this was not the fact; he held a strong opinion on the subject, and after some experience he lamented that that opinion had not more generally prevailed.

Earl GREY hoped his noble Friend (the Marquess of Lansdowne) would be sufficiently recovered to move the appointment of the Committee on Thursday. The Committee would inquire into the effect the amount of capital required for railways had had in producing the commercial distress; but he thought it probable some other separate inquiry would be made with regard to the Railway Bills of the present Session, not with reference to the past, but the future. It would be better that this inquiry should be commenced in the other House of Parliament, and that a Committee in their Lordships' House should not be appointed till they knew more of the course to be taken in the House of Commons.

House adjourned.

HOUSE OF COMMONS,

Friday, November 26, 1847.

Minutes.] Public Bills.—1° Roman Catholic Charitable Trusts; Roman Catholic Relief; Railways.

PETITIONS PRESENTED. By Mr. O'Connell, from Roman Catholic Archbishops and Bishops of Ireland, for Alteration of Charitable Donations and Bequests (Ireland) Act.—By Sir J. Y. Buller, and other Hon. Members, from several places, against the Removal of Jewish Disabilities.—By Mr. John O'Connell, from Roman Catholic Archbishops and Bishops of Ireland, for Alteration of the Law of Marriage (Ireland); and for the Removal of Disabilities affecting the Roman Catholic Clergy of Ireland.—By Sir J. Y. Buller, from Exmouth, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Goring, from Clergy of the Diocese of Chichester, for Protection against the Encroachments of Roman Catholics.—By Mr. Hume, from Lambeth, for Inquiry respecting the Rajah of Sattara.

PRIVATE BUSINESS.

MR. LABOUCHERE, pursuant to notice, rose to submit the following Motion to the House:—

"That a Select Committee be appointed to consider whether any and what improvement can be adopted in the mode of conducting Private Business—Mr. Labouchere, Mr. Gladstone, Mr. Strutt, Lord Granville Somerset, Mr. Francis Baring, Sir William Heathcote, Mr. Hume, Mr Wilson Patten, Mr. Wrightson, Sir Robert Ferguson, Mr. William Miles, Mr. Loch, Sir John Yarde Buller, Sir George Clerk, and Mr. Ord."

In thus proposing to the House the appointment of a Select Committee to consider what improvements could be made in the mode of transacting Private Business, he begged to remind hon. Members that he was only following the example of former years. The House had, in two former Sessions, declared their opinion as to the expediency of appointing, for the purpose of considering the subject of Private Business, a Committee composed of those Members of that House who were accustomed to take the greatest interest in that portion of the business of the House of Commons. He was sure hon. Members would agree with him when he said that a more favourable opportunity than the present for effecting useful changes could hardly have occurred. Two months must now elapse before the private business of the Session could be said fairly to commence. As the House was now sitting, nothing could be more convenient than that they should take advantage of the time at their disposal for the purpose of carefully and deliberately considering the improvements which might be made in the mode of conducting the private business which came before that House. The importance of the private business before Parliament was at present so well understood, that it became perfectly unnecessary for him then to dilate upon it; year after year that business had been becoming of greater weight; and he must be permitted to say that the manner in which it was transacted had tended more to raise the House of Commons in the estimation of the country than any one circumstance he could mention. The reforms of a salutary nature which had from time to time been introduced in the mode of carrying on proceedings connected with the Private Bills were of a nature which greatly tended to divest them of any character of partiality, besides that it rendered the justice which those tribunals dispensed both cheap and accessible. He need scarcely remind hon. Members that from the labours of the Committees employed during the last Session of Parliament, most important improvements had resulted. These must be so fresh in the recollection of the House, that he felt he need not particularly advert to them; but, as a proof of the utility of the alterations which had been suggested, he might remind them of the appointment of a paid officer to inquire, before Bills came under the consideration of that House, whether or not the Standing Orders had been complied with. From that arrangement alone several hundred thousand pounds had been saved to the parties interested in those Bills, although the expenses attendant upon the appointment of that officer did not exceed 1,100*l.* or 1,200*l.* a year. While upon this part of the subject he could not refrain from observing, that the House and the country were much indebted to the hon. Member for Montrose for his very useful and successful exertions in promoting those objects during the last two Sessions of Parliament. That hon. Member, as they well knew, had devoted great care and attention to the subject. Looking, then, at all the circumstances of the case, he could not suppose that the House would have much difficulty in acceding to the proposition which it was his purpose then to submit for their consideration. It appeared to him at present wholly unnecessary to enter at any length into the reasons he might advance in support of his Motion. Its advantages seemed to him so obvious that it would be perfectly needless to insist upon them in detail; there was, however, one part of the subject so important that he could not avoid asking permission to say a few words on that point, namely, the great advantage that Parliament and all parties concerned derived from the attention paid to unopposed Bills; but it was still necessary that some improvement should be effected in the manner of dealing with opposed Bills. It was not to be expected that with the weight of

business which the House had to get through, and with the amount of that business which they were obliged to delegate—it was not, he said, to be expected but that occasionally some subjects should escape their notice; and he could not but think that good results must ensue, if some mode were devised by which checks could be placed upon the manner in which opposed Bills were considered; whether, for example, some regulations might not be applied to opposed Bills of the same nature as those which are at present applicable to unopposed Bills. There was another point on which he wished to say a few words, and it was one, he thought, which could very advantageously be referred to the consideration of the Committee that he intended to call on the House to appoint. The matter to which he now alluded was the Amendments that came down to them from the House of Lords; and he did not speak here of anything affecting the privileges of the House of Commons as an independent branch of the Legislature, because those privileges, he felt quite assured, would be most vigilantly guarded by the right hon. Gentleman who at present filled the chair of that House; but it did happen in the case of Private Bills that Amendments were sometimes introduced in the House of Lords, which escaped notice in the House of Commons, without observation, and became incorporated in Bills. Now, it appeared to him that the Committee of which he was about to propose the appointment, might very advantageously consider whether the Chairman of Ways and Means ought not to be made responsible for the Amendments in Private Bills which came down from the House of Lords to the House of Commons. If the Committee took that view, or a different view of the subject, it would, of course, be still open to the House to reconsider the question, and to deal with it definitively, in such manner as seemed most expedient. No doubt the duties performed by the Chairman of Ways and Means were already sufficiently onerous and important, and they had of late been greatly increased. To impose upon that hon. Member this additional duty formed a point on which he should express no decided opinion; neither should he say whether or not that hon. Member ought to be relieved, wholly or in part, from other duties which he at present performed, or whether the share which he took in private business should be completely separated from the functions discharged by that Member of the House of Commons who filled the office of Chairman of Ways and Means. Upon these several points he should, as he said, express no opinion, but suggest that they be referred to the consideration of the proposed Committee. These few words conveyed all the remarks with which he meant to trouble the House. He should not take up the time of the House further than to say, it might be a matter for consideration with the Committee, how far they might avail themselves of the assistance of the officer whose duty it was to draw up the breviate; and he certainly thought, with regard to the first breviate, it might be dispensed with: the others might be given; but he did think that dispensing with the first breviate might be an advantage. He wished, before he sat down, to repeat, that on none of these points did he offer any decided opinion, either as to the appointment of another paid officer, or upon any other subject. He ventured to give no opinion, for this among other reasons, that the duties in which he had been during the last year engaged precluded his giving any attention to the private business of that House; he was, therefore, anxious rather to hear the sentiments of others, than to express any opinion of his own. The Members whose names he intended to submit to the House were Gentlemen of great experience in private business, having given much time and attention to that subject. For these several reasons, he hoped that his Motion, as it stood on the Paper, would be acceded to by the House.

Mr. HUME, in seconding the Motion, said, it would be in the power of that House, if they followed up the suggestion then made, to reduce to one-fourth the expenses which the private business of Parliament occasioned to the public. The House would recollect that, by its resolutions of last Session, it declared that Committees on Private Bills should consist of five Members; that they should all be especially enjoined to attend the meetings of the Committees; and that those who had not been punctual in their attendances should not be permitted to vote. The effect of these regulations certainly had been to give the community at large more confidence than ever in the impartiality of that House, and its earnest wish to do equal justice to all the parties concerned. He hoped that the Committee to be appointed would take a careful review of all that had

been already done, and that they would lay before the House such recommendations as would facilitate the transaction of business, and diminish the labour which devolved upon Members of that House.

Mr. THORNELY hoped that the right hon. Gentleman did not mean to do away with the breviates. Members derived much information from those documents, and they appeared to him to be of great importance.

Mr. BANKES said, he had not been fortunate enough to hear the whole of the right hon. Gentleman's statement; but he imagined the effect of the proposition then before them would be to add another paid officer to those already engaged in the service of the House. He did not think that such a step ought to be taken just now, the more especially as it was probable that in the present depressed state of the country the private business would not be very onerous.

Mr. LABOUCHERE explained: He had given no decided opinion as to the appointment of any officer; on the contrary, he considered that to be a fitting subject for the consideration of the Committee. He had said nothing decidedly; but he wished to impress this on the House, that a saving to the country of 200,000*l.* a year had been effected by an expenditure of 1,200*l.* a year.

Colonel SIBTHORP observed that, in his opinion, it was high time to resist an alteration of this kind; so far from increasing the number of paid officers, he thought that salaries ought to be diminished. Hon. Members might say that a paid officer was wanted here or there; but all this was mere words. There might be much said about economy; but he judged of savings by their practical results. Of late years one lavish commission was appointed after another, and in the end no good was done. Unfortunately there was now very little in the Exchequer, and he feared that that little would soon be less. He would say *cavendo tutus*, it would be well to hold what they had, and not be too ready to part with that for the sake of an uncertain advantage. He should join his hon. Friend the Member for Dorsetshire in opposing this proposition, unless very fair and just grounds were laid before them for making the proposed change. He should be sorry to increase the labours of the hon. Gentleman who held the office of Chairman of Ways and Means; but he (Colonel Sibthorp), as a humble Member of that House, must pause before he could assent to any Motion for adding to the number of paid officers.

Dr. BOWRING hoped that some means might be devised of saving the public money and the time of the House.

Mr. HUDSON believed that the reduction of fees was the only thing done towards a diminution of expenditure; he believed that other changes had rather added to than diminished expenditure. Many towns were put to great expense by the Commission sent down by the Woods and Forests; and though, situated as he was, he did not wish to pronounce any opinion on the conduct of the Railway Commission, yet it added to expense.

Mr. STRUTT observed, that hon. Members on the other side argued as if his right hon. Friend had contended for the appointment of another paid officer; on the contrary, it was distinctly stated that Government were not prepared to make any such proposition. His right hon. Friend merely wished for the appointment of a Committee, as on former occasions, and no opinion whatever had been given as to what the recommendations of that Committee ought to be. The hon. Member for Sunderland, he thought, could hardly have been present when his right hon. Friend had made his statement to the House, else he would not have said, as he had done, that with the exception of the alteration made in respect to the fees, all the other alterations had tended rather to an increase than a diminution of expenses. If the hon. Gentleman had attended to the speech of his right hon. Friend (Mr. Labouchere), he would have heard that in reference to a matter respecting which material complaints were made in former Sessions, a most marked improvement had been effected by the introduction of a system by which great accommodation was afforded to the public. He (Mr. Strutt) recollected that in the Session before last, as well as in many others, it was constantly a subject of complaint, that parties were put to enormous expenses by waiting to have their cases come forward before Committees on Private Bills. Every day large sums of money used to be expended in connexion with the examination of the Standing Orders. In one case the parties actually paid 500*l.* for expenses of witnesses. In the last Session an important improvement was made in reference to this matter; and it was reported by the Committee that the effect of that improvement

was that at the expense of a salary of only 1,200*l.* a year, an end had been put to expenses amounting to several thousands a year. That statement made by the Committee could not have been read by the hon. Gentleman, or he would not have said that no improvement had been effected by the change of system. He did not now intend to express any opinion on the suggestions of his right hon. Friend; but of this he felt quite assured, that the proposed Committee would not recommend any increased expenditure of the public money at the disposal of the House, unless they should see the certainty that such increased expenditure would tend greatly to the advantage of the country by diminishing the expenses of parties, and by rendering the conduct of the private business more economical, more speedy, and more satisfactory.

Motion agreed to.

ANSWER TO THE ADDRESS.

LORD M. HILL appeared at the bar with Her Majesty's Answer to the Address of the Commons. His Lordship said that he had to inform the House, that, in obedience to its commands, he had had the honour of waiting on Her Majesty with the Address, to which Her Majesty had been pleased to return the following most gracious Answer:—

"I have received with satisfaction your loyal and dutiful Address.

"I rely with confidence on your co-operation with me in My endeavours to advance the social condition of My people, and promote the welfare of all classes of My Subjects."

EXCISE REGULATIONS—MALT.

MR. H. DRUMMOND said, that the right hon. Gentleman (the Chancellor of the Exchequer) had replied last night to a question put by the hon. Member for Montrose, relative to such Excise regulations as had a vexatious character in respect to certain articles. He wished to know whether that reply was intended to apply also to the article of malt?

The CHANCELLOR OF THE EXCHEQUER certainly understood the question of the hon. Member for Montrose to apply more particularly to Excise regulations on malt and spirits. With respect to malt, the attention of the Government and the Excise Board had been directed to the subject, and he hoped to be able to introduce a measure for the purpose of removing all those Excise restrictions which operated vexatiously towards the manufacturer, and were not necessary for the protection of the revenue.

ASSISTANT UNDER SECRETARY OF THE COLONIES.

MR. ANSTEY inquired whether the appointment of Mr. Merivale as Assistant Under Secretary of State for the Colonies was a permanent one, and by what authority it had been made?

LORD J. RUSSELL said, the appointment of Mr. Merivale was made by the Treasury with the view of affording assistance in carrying on the very important business of the Colonial Office.

BANK CHARTER ACT.

Mr. EWART asked the Chancellor of the Exchequer "whether it was intended to give the Bank of England authority (under the 5th section of the Bank Charter Act) to increase its issue on securities (beyond the prescribed basis of 14,000,000*l.*), in consequence of the void caused in the circulation by the recent failure of private banks (or joint-stock banks) of issue?"

The CHANCELLOR of the EXCHEQUER replied, that no application had been made from the Bank of England for permission to extend its issues in that way, and therefore Government had not exercised its discretion on that point.

RAILWAYS.

The CHANCELLOR OF THE EXCHEQUER rose, pursuant to notice, to move for leave to bring in a Bill to extend the time for the purchase of land and completion of the works by railway companies. He said: If the debate on the first night of the Session had taken that direction which I expected it would in all probability have taken, it would have been my duty then not only to have stated to the House the reasons which induced the Government to take the course they have done, but also to have stated the view which they have formed of the causes of the commercial pressure. Among those causes I certainly should have included the great absorption of capital by the demands of railway companies. In stating this, I do not mean to say that that has been the only, or, perhaps, the principal cause. I do not wish on the present occasion to ask any person to give up his opinion as to other causes to which he may attribute the pressure; but it always is a great mistake to attribute any great result to one single cause; and

all I ask of hon. Gentlemen who may entertain opinions different from mine is, that for this night they should admit nothing more than that the absorption of capital by railway companies is one of those causes which have contributed to deprive the commercial world of the amount of accommodation which it previously enjoyed. It would have been more satisfactory to me if I had been enabled to state to the House the whole case at once; but, inasmuch as it is desirable that no time should be lost in introducing this Bill into Parliament, it is not a matter of choice, but of necessity, that I take this portion of the case independently and separately. The point to which I wish to call the attention of hon. Gentlemen is the inconvenience sustained by persons in commerce, by the abstraction of an amount of capital which, in my opinion, has been too rapidly converted from floating capital into fixed capital. I do not know that any Gentleman will deny that the floating capital of the country is employed mainly in carrying on the ordinary operations of agriculture and commerce. The surplus and available capital is employed in the further development of agriculture and commerce, in the erection of buildings required from one end of the country to the other, and in the construction of permanent works, including docks and railways, contributing ultimately to the wealth and improvement of the country. But if floating capital is too rapidly converted into fixed capital, pressure must arise on those who before enjoyed the advantage of the floating capital. I am so far from entertaining any feelings hostile to railways, that probably no one conceives a higher idea than myself of the advantage they will ultimately prove to the country; but, in saying that the floating capital which is constantly turned over from time to time is employed in reproduction, and that that which is sunk in the promotion of permanent works, docks, or railroads, however ultimately beneficial such application of money may prove, for some time only pays an annual interest, and does not immediately contribute to reproduction, and that, in the meantime, a great absorption of money for these purposes causes a pressure on the available capital of the country—I am stating nothing but what I believe common consent allows. I will illustrate the point by a familiar example: Suppose a large farmer, in conducting his farming operations, employs 10,000*l.* on his farm, such sum being necessary for the payment of labour and for the purchase of the means of carrying on his farm, and, having a surplus of 1,000*l.* beyond, employs that sum in draining or in some permanent improvement. So long as he employs in the latter way that which he has above what is necessary for carrying on the ordinary purposes of his farm, all prospers; but if he abstracts that which is necessary to carry on the ordinary concerns of the farm, then, however beneficial the drainage of his farm may ultimately be, no one can deny that during the process the ordinary operations of the farm will be crippled. It is the same case with the manufacturer. He may have a certain amount of capital necessary to carry on his trade, for the purchase of raw material, and for the payment of labour; but if he finds it necessary to introduce improved machinery, and if, for that purpose, he abstracts from the capital necessary to carry on the ordinary operations of his concern, then, however beneficial the improved machinery may be in the end, no one can deny that during the time of the temporary abstraction of capital great inconvenience may be experienced. Now, I apprehend that which is true of individuals is equally true of the whole community; and if the whole community chooses to convert floating capital into fixed capital with too great rapidity, it must follow that the capital available for general mercantile and manufacturing purposes will be diminished for a time; and during the period of this diminution persons who are engaged in mercantile and manufacturing pursuits must, so to speak, be pinched in the means for carrying on their operations. I apprehend that, for some time past, this process has been going on to a greater or less extent in this country. So long as the demand for capital for the construction of railways was not heavy, adequate means were available for carrying on the ordinary commercial operations of the country—a fair amount being vested annually in the construction of railways; but, after a time, the demand for capital for the purpose of forming railroads became too large, and the natural consequence was—as we have seen—that for the last year and a half there has been a considerable rise in the rate of interest. When parties were competing with each other—when railroad companies, on the one hand, were borrowing money to a

large extent, and the commercial world, on the other hand, required more capital than they possessed, the effect of this competition was to raise the rate of interest, and the supply of capital was not equal to the demand. I do not know that I can state the effect of such a state of things better than in the words of a very able article which appeared in the *Economist* last Saturday. If the noble Lord the Member for Lynn think the statement not correct, he will probably be able to show the House in what respect it is inaccurate. I certainly cannot express my views better than in the language of this article, and I shall therefore take the liberty of reading it to the House. The writer states that a certain document might be obtained, which would show

—"that a large portion of the capital which was disposable for commercial purposes through bank credit at the former period, had in the mean time become absorbed in railways; that the country bankers, therefore, have not now the same enormous funds to dispose of; that the bill brokers are therefore without the same means to re-discount the bills of other country bankers, and are wholly unable to make advances on dock warrants or bills of lading; and that commerce is thus deprived of the means which were formerly at its disposal in consequence of the new distribution of the capital of the country."

Certainly, from all the sources of information which have been at my command, I believe that to be a faithful account of the process that has been going on; and I also believe it to have been one of the causes which produced the distress under which the commercial world has lately been suffering. I may say further, that this is not an opinion which I formed after the commercial pressure arose. It is known to many hon. Gentlemen—certainly to the Members of the late Government—that Mr. Porter, who was formerly engaged in the Railway Department of the Board of Trade, but whom the present Government have had great pleasure in placing in a higher position, represented to the Government at the end of 1845 that the demands of the railway companies were increasing so rapidly that he believed they would abstract so large a portion of the capital required for commercial purposes, that considerable commercial pressure and distress must before long be produced. That opinion was expressed a year and a half before the pressure occurred; and I think it affords sufficient proof that those who were most conversant with the facts, and had ample means for forming their opinion before the pressure took place, concur in the views which I have expressed. I believe I have given an accurate statement of the course of events; and I will now proceed to show, from such documents as I have in my possession, the extent to which the demand for capital for railway projects was carried. I will only premise that it is perfectly impossible to attain any very minute accuracy in the accounts of railway expenditure; for the accounts are so complicated, owing to the number of bills authorising the transfer of capital from one project to another, that it is impossible to make any accurate statement within 1,000,000*l.* or 2,000,000*l.* I believe, however, that the statements I am about to make are generally correct. It may be interesting to the House to know the amounts authorised by Parliament to be raised for the construction of railways, aud the sums which have been actually expended. The first statement to which I shall call the attention of the House was drawn up by Mr. Porter, and gives an account of the sums to be raised, under the authority of Parliament, for the formation of railways. I believe that, previously to 1826, not more than a million and a half of money had been expended upon railways under the authority of Parliament. From 1826 to 1835 Parliament authorised the raising of about 19,000,000*l.* for the construction of railways; in 1836 and 1837, which were years of commercial prosperity, upwards of 36,000,000*l.* were authorised to be raised for the same purpose. The distress which occurred about that time seems to have had the effect of checking, to a considerable extent, the disposition to apply for Railroad Bills; and in the course of the next six years a comparatively small number of such Bills was passed. In 1844 and 1845 Parliament authorised the raising of 74,000,000*l.* for the construction of railways. The railway mania attained its height in 1845; and in 1846 no less than 800 plans for railways were submitted to the Railway Board, and in that year the amount of expenditure sanctioned by Bills which received the assent of Parliament was no less than 132,000,000*l.* The total expenditure authorised between 1826 and 1846, for the construction of railways, was 286,000,000*l.*, by far the greater portion of which expenditure was sanctioned during the last three years. The amount authorised by Parliament to be expended upon railways in the Session of 1847 was upwards of 38,000,000*l.* The sums I have mentioned are those which Parliament authorised to be raised; and I do not mean

to say that they represent the amount actually expended upon the construction of railways. The noble Member for Lynn (Lord G. Bentinck) stated very truly the other night, that the money expended in the purchase of land and in Parliamentary expenses could not be considered as abstracted from the available capital of the country. Mr. Porter estimates one-fifth of the whole amount for the purchase of land and for Parliamentary expenses; but after allowing for these, there remained at the end of 1846, a future outlay of 145,000,000*l.*, and to this is to be added the expenditure sanctioned in 1847, which I before stated at 38,000,000*l.* I hold in my hand a statement, drawn up by the Railway Board, showing, as nearly as can be ascertained, the expenditure authorised by Railway Bills which have received the sanction of Parliament in each year since 1840. The amounts are as follows:—In 1840, 4,000,000*l.*; 1841, 3,500,000*l.*; 1842, 6,000,000*l.*; 1843, 4,500,000*l.*; 1844, 18,000,000*l.*; 1845, 59,000,000*l.*; 1846, 124,500,000*l.*; 1847, 38,300,000*l.* These are the sums authorised to be expended upon the purchase of land, the construction of works, and in Parliamentary expenses in each year, in addition to the expenditure sanctioned in former years. The noble Member for Lynn (Lord G. Bentinck), in his speech the other night, stated the amount which had been expended upon railways; but the conclusion drawn by the noble Lord was calculated to lead the House into grave error as to the years in which that expenditure took place, because, by dividing the whole amount by the number of years in which it had been raised, it was made to appear that there had been no considerable increase of expenditure in recent years, but that it had been equally distributed over the whole period. That, however, is very far from having been the case. The noble Lord stated that the total amount of expenditure, divided by the number of years, had not exceeded 12,500,000*l.* a year; but that statement does not afford the slightest notion of the actual expenditure in each year. The House will see, from the statement I am about to make, and which has been drawn up with great care, that the expenditure has very considerably increased within the last two years; and that it has recently borne most heavily upon the resources of the country, and latterly with a gradually increasing pressure. The statement I am about to make is, to a certain degree, an estimate formed upon the average expenditure, so far as it can be ascertained; but I have every reason to believe that it is generally accurate. It appears from this statement, that the railway expenditure in 1841 was 1,470,000*l.*; in 1842, 2,980,000*l.*; in 1843, 4,435,000*l.*; in 1844, 6,105,000*l.*; in the first half-year of 1845, 3,510,000*l.*; in the second half-year of 1845, 10,625,000*l.*; in the first half-year of 1846, 9,815,000*l.*; in the second half-year of 1846, 26,670,000*l.*; and in the first half-year of 1847, 25,770,000*l.* Now I wish to show the House some grounds for thinking that this statement is pretty nearly accurate. The noble Member for Lynn stated the other night, that the amount expended upon railways between 1841 and 1846, including both those years, had been 50,000,000*l.* Now, the amount estimated by the Railway Board to have been expended in the same period is 65,000,000*l.*, including the purchase of land and Parliamentary expenses; and, deducting one-fifth of this amount for Parliamentary expenses and the purchase of land, the annual expenditure appears to be about 52,000,000*l.* This statement, therefore, very nearly corresponds with that of the noble Lord. With regard to the last eighteen months, the estimate of the Railway Board gives a little above 62,000,000*l.* as the amount expended from January, 1846, to the last autumn; and I find from the half-yearly statements made by the different railway companies that their expenditure appears to be a few hundred thousand pounds above 62,000,000*l.* I think I have shown, then, that, on these two points, the calculation made by the Railway Board is by no means excessive; and, from this circumstance, I conceive it may be inferred that the statement is generally accurate. I have shown that of late years the expenditure upon railways has gone on increasing in a most extraordinary manner; and that, whereas for a considerable time the demands of railway companies were not excessive, from the midsummer of 1846 those demands did become excessive, and increased in a most extraordinary degree, and that from that time to this they have been pressing in a most unexampled manner upon the available capital of the country. With regard to the last half-year of 1847, the case is somewhat different, because I believe it has not been quite so easy to borrow money or to extract the calls from the pockets of

the shareholders. But an estimate of the expenditure, which has gradually increased from 1841 to 1846, has been made up to the year 1850; and it appears, that if the expenditure had gone on in the same ratio, it would have amounted, upon Acts already passed, to 64,000,000*l.* this year, of which 38,000,000*l.* would have been in the last half of the year; in 1848 to 70,000,000*l.*; in 1849 to 47,000,000*l.*; and in 1850 to 10,000,000*l.* By that time, judging from the speed at which railway works have hitherto been constructed, the whole of the works already in progress would have been completed. It must be remembered, that this drain of capital was contemporaneous with a scarcity of corn. I do not wish now to enter into this part of the question, because I shall have to do so on an early occasion; but I may observe that the demand for the available capital of the country has rapidly increased, within the last two or three years, to an extent out of all proportion to what it had been in former years; and that, even supposing no other causes than those I have mentioned had been in operation, they are amply sufficient to account for a very considerable pressure upon the commercial world. That pressure has been strongly represented to me from many parts of the kingdom, and especially from the manufacturing districts, as most prejudicial to their interests; and I think the House will agree with me that, if it is possible to diminish that pressure by retarding the completion of railway works, or spreading their construction over a longer period of time, we shall confer great benefit upon the country. Some of the representations which have been made to me indicated a much stronger course than I have thought it advisable to pursue. No sooner had I come to town, than letters were addressed to my noble Friend (Lord J. Russell) and myself, urging the adoption of some measure for putting an instant stop to railway works altogether. They recommended that an Order in Council should be issued; that Parliament should be called together; indeed, there was scarcely any measure, however strong, which we were not recommended to take. I need hardly say that we did not think it advisable to adopt any of these courses; and, on the best consideration we could give to the subject, we were of opinion that we ought not to recommend any compulsory measures. The Bill, therefore, which I am now about to propose, is not of a compulsory nature. When we came to consider the number of contracts existing, the number of labourers employed by the contractors, the engagements which have been entered into with manufacturers of various kinds, and the number of persons whose employment depends in one way or other on the progress of railway works, we arrived at the conclusion that it would be exceedingly injudicious to propose any compulsory measures. The object, therefore, of the Bill which I am about to propose to the House is to give to the railway companies an extension of time for the purchase of land and the completion of their works. Railway Acts generally require that the land shall be purchased within a certain time, and the companies are therefore compelled to raise a considerable portion of their capital as fast as they can. I think it would be exceedingly wise to release them from that obligation. But there is another class of railroads with regard to which I think we may take stronger measures. I propose, with reference to those railways which are in course of construction, to do no more than to relieve the companies from the obligation of buying the land, or completing the works, within the time prescribed. I propose to give the landowners a claim to compensation for any additional injury they may sustain in consequence of the delay in the purchase of their land. The postponement of purchase is to be a voluntary act on the part of the companies, and we shall provide that the landlords shall not be injured by such postponement. [Lord G. Bentinck: In what way are the damages to be assessed?] In precisely the same way in which damages are now assessed in any case of damage sustained by parties entitled to compensation. But with regard to those railways where the works have not been commenced, stronger measures may be taken, though still to be of the nature of voluntary proceedings. I propose to extend in their case the period for the purchase of land and the completion of the works; but I propose also that the directors shall not be authorised to commence the construction of works without the consent of a certain proportion of the shareholders. They are the persons by whom the calls are to be paid, and I think it very desirable to give them a more effective control over the directors. I propose, therefore, to enact that the directors of any company whose works have not been commenced on the day when this Bill is introduced, shall not be empowered to pro-

ceed with the construction of the works without the previous consent of a certain proportion of the shareholders. These are the only provisions in the Bill I propose to introduce. I may as well, however, here state the object which I have in view in the Motion of which I have given notice, for a Committee on Railway Bills of this Session. I propose that a Committee should be appointed with regard to those Railway Bills which were suspended last Session, and those which may be introduced in this Session; my object is, that all such Bills should be referred either to a Committee of this House or to the Railway Board—I myself think it should be a Committee of this House—to consider which of those Bills should be allowed to go on. It is obvious that there may be many of those Bills which propose only deviations or the construction of small extensions, greatly for the convenience of the public, but not calling for a great amount of capital, and involving no material additional drain upon the resources of the country, and it may be extremely desirable that these should be passed into laws; but I must say I think the House will exercise a sound discretion in determining that no Bills should be passed this Session involving a very large outlay of capital. I think we have perhaps all of us to take some blame to ourselves for the amount of Bills that have been passed; I have never said a single syllable throwing the whole blame, or more than their due share, upon the railroad companies or the railroad directors; we are all to blame; we have been "art and part" in the matter. But hon. Gentlemen will remember that in earlier years it was no easy matter to persuade the House to adopt any course of this kind. It was proposed to the House in 1846 by the then Government to subject Railway Bills to some such inquiry or investigation as I am proposing, and a Committee was appointed to consider the mode in which the House should deal with them. I had not the honour of being a member of that Committee; but to the best of my belief no feasible plan was even suggested then; and the Government found it so difficult—or perhaps utterly impossible—that they were obliged to give up the design they entertained of checking the disposition to pass more Bills. I confess that at that time I did not myself see my way, and could not say how it was to be done; and I found that other Gentlemen experienced the same difficulty; but I believe now that men's opinions are entirely changed. I believe that, so far from having to fear opposition from railway directors in the course I have to propose, I shall receive from many of them, at least, a cordial co-operation. I have communicated with several chairmen of railway boards, and I have found them most anxious to co-operate in checking the demand for the construction of new works; and I hope to receive a pretty general support from the directors of railway companies. I have been applied to to introduce some Bill for facilitating the dissolution of companies; but upon further inquiry I have found only one company pressing an application of that kind; and I have felt that when an Act has been passed, and the railroad company entered into engagements, you have no right to release them from that liability, at least without the consent of the parties concerned. That may be a very fair subject for the consideration of a Committee, but it is not one with which I am prepared to deal by Bill. [Mr. Divett: What extension of time do you propose?] That will perhaps be more properly discussed in the Committee; my own disposition is to give two or three years beyond the time limited in the Acts, either for the purchase of land or the completion of works. I propose, whatever may be the time within which a company is bound to purchase land or complete the works, to extend that time for two or three years. I cannot say I have myself a very strong opinion which period it should be; but as I have said, it can be discussed in Committee. In like manner, as to the proportion of shareholders whose consent should be obtained—whether it should be two-thirds or three-fourths, it is difficult to say why it should be one rather than the other; but that also may be left to the Committee. I now beg leave to move for leave to bring in a Bill for carrying into effect the two propositions I have stated—namely, that there should be an extension of time granted to all those railway companies whose works have been already begun, and a prohibition for a limited period in the case of companies whose works have not been commenced, unless they obtain the consent of a certain number of shareholders.

Colonel SIBTHORP did not rise to oppose the Motion; but the right hon. Gentleman had talked of allowing compensation for land that had been seized—for a seizure it was, an unjustifiable inroad

upon private property, an attack upon the poor man's cottage, and the little man's land. Talk of compensation!—why not take back the money, and give back the land? This railway system should not be called English law; it was more like Algerine law, or Russian power exercised in this dominion. God forbid that he should set himself against any improvements! he was not chargeable, in any act of his life, with opposing anything that would contribute to the benefit of the country: but had railways done so? Why, it was stated that our unprecedented commercial distress originated in a great measure with these projects: was that beneficial to the country? How many unfortunate beings, who used to obtain their livelihood by industry, had they thrown adrift or sent into the workhouse? The Chancellor of the Exchequer should bring in a Bill to extend the time for the payment of his salary, or give the money to the poor men who would now be suddenly thrown out of employ. The right hon. Gentleman came down to the House and said, "We have all been to blame:" what right had the right hon. Gentleman to charge him with doing what he had never done, and trusted in God he never should do? He denied that he ever sanctioned the system. But, as to this plan of restricting the companies, the effect would be that a man would be carried half way to his destination, and then set down with no further railroad and no carriages. At all events, the land that had been taken ought to be paid for at once, or within a limited time, or else given up. It ought to be remembered that it was taken from the proprietor contrary to his wishes.

Mr. ELLICE did not rise to offer the least opposition to the Bill, nor to complain that the measure, as far as it was proposed to go, was not the most suitable under present circumstances. On the contrary, he thought that had the right hon. Gentleman gone further, he would have found great difficulty, and he had exactly met one part of the evil by proposing to give companies the power of spreading their expenditure over a larger portion of time. Neither did he rise to find fault with the past proceedings of the present Government, or of that which preceded it; but he did not wish to be included in the list of those who, foreseeing, as all the House did, the enormous evils likely to flow, not from the system—for it was excellent, and the country had derived the greatest possible benefits from it—but from the abuse of the system, omitted to suggest any practicable remedy for a part of the mischief. He was the more inclined to make that statement, because he did expect from the right hon. Gentleman the Chancellor of the Exchequer some observations upon other parts of the existing system beyond those with which he proposed to deal by his Bill. One of the most serious evils under which we now suffered was the power given to these enormous corporations to borrow money under their Acts. He did propose to the right hon. Baronet opposite (Sir R. Peel), when he was in office, that if the speculation and competition could not be arrested, at all events it might be considered whether Parliament, in giving these companies the power to raise capital for their undertakings, should not have limited the power, and not given the right introduced of late into all Bills of this description for forming canals, turnpike-roads, docks, and so on, to borrow to the extent of one-third of the capital subscribed. That might be a very good thing carried to some extent; with the enormous mass of floating capital in this country, and the temptation to send it abroad, it might be politic, to a reasonable extent, to enable the possessors of it to invest it upon the security of works of this description; but what might be expedient to a certain extent was quite otherwise when carried to the enormous extent to which it was proposed to raise capital for railroads. When Parliament had a host of demands for powers to raise, not 10,000*l.*, 20,000*l.*, or 30,000*l.*, but hundreds of thousands, it was time for those authorities that had charge of the financial affairs of the country to consider whether it was not politic to check the practice. He proposed to the right hon. Baronet (Sir R. Peel), as one of the limitations that might have been most justly applied to the then mania, that a limit should be put upon the power of borrowing money under these Railway Acts. Enormous as the speculation had been, it had been only one cause of our difficulties. It was a symptom of the abuse of credit, very much like what we saw before in the case of the South American mines and the North American speculations — a symptom of which, under any circumstances, we must look for the repetition; at least, he had heard no remedy proposed that was very likely to put a stop to it. But see the difficulties to which individual traders were exposed by the competition they were obliged to encounter with the bonds and

debentures of these railroad companies. The competition was not so great when capital was being raised for the railroad, though a man who subscribed towards such an undertaking went to the extent of his means, or his expected means. When these great corporations had the power of borrowing, they went into the money market with bonds, and debentures, and mortgages of all descriptions, and with a better security—a more convertible security, at all events—than the trader had it in his power to offer for the money which was essential for conducting his business. That was one of the greatest evils under which the country now suffered. That was an enormous injury to the trader who was obliged to discount his bills, and which bills were founded upon some actual transaction in which the productive industry of the country was immediately and directly concerned. He had always thought that a limitation of that power on the part of the railway companies was a check which it was competent for the Government to apply to undue speculation; and he had always regretted that such a practical remedy had not been adopted. There was another point to which he was anxious to call the attention of his right hon. Friend, because he considered it was one with which it was competent for the Government to deal. Parliament had given the railway companies power to realise 10 per cent upon their capital. He did not consider this too much. Where men embarked their money in such great undertakings, they were entitled to reap a just profit, and he did not think 10 per cent more than was reasonable and fair. But there were transactions connected with these railways in which not only 10 per cent profit was made, but even so much as 100 per cent, and this with the sanction of Parliament. He did not so much complain of the 100 per cent profit as he did of the encouragement which was given by the Government to these proceedings, by which temptations were held out to poor people to risk their little property in transactions with the nature of which they were very little acquainted. He was chairman of a Committee that made a report to the House recommending that some principle should be laid down upon which capital, by way of loans, should be raised for these great undertakings. That report was submitted to his right hon. Friend (Sir G. Clerk), who was Vice-President of the Board of Trade in the late Government; but it was taken no notice of. When his own friends came into office, he sent the report to them, and pointed out the abuse, and urged upon them the necessity of immediate interference. But neither Government took the least notice of it, and now there were great difficulties. The measure now proposed by his right hon. Friend seemed to be the only one which it was competent for him to call upon the House to adopt. It was impossible they could pass any compulsory measure affecting undertakings in which a number of persons had invested two-thirds of their capital. It would be too much to say to them—"You must stop where you are." After having granted them these extensive powers, by which they were induced to invest their capital, that would be a most unjust and violent act. He quite agreed with his right hon. Friend, that the only course they could adopt was to allow the expenditure of the money which the companies were empowered to raise to be extended over a larger portion of time. But he did hope that they would have some inquiry instituted, or some proposition made by Government, with a view to a limitation of the powers to be given to joint-stock companies to raise capital by borrowing money in the market. The community were now suffering under the greatest possible difficulty from their inability to raise money, and were calling on the Legislature to afford them some protection against the competition to which they were exposed by the powers given to these great companies. The right hon. Gentleman the Member for Sunderland (Mr. Hudson) sometimes found fault with him because he wished (as the right hon. Gentlemaa alleged) to interfere with the transactions of these companies, who, the right hon. Gentleman contended, had a full and unrestricted right to manage their own concerns. To this he had always replied—that if persons would come and ask of the Legislature for extraordinary powers to be exercised by them as an incorporated body, it was not only within the competence of that Legislature, but it was its especial duty, to limit the powers so asked for in such a way and to such a degree as that they should not interfere with or injure the common transactions of the people. It was upon that ground that he asked the House to interpose its authority. He did not call for any interference with the right hon. Gentleman in carrying on his own affairs; but when that right hon. Gentleman came to the House and asked

for a monopoly, and when that monopoly gave to the right hon. Gentleman powers that would come into injurious competition with the merchants and tradesmen of the country, it was then fit that the House should protect, as far as it could, the exercise of individual industry against such monopolising powers. After a great deal of difficulty a measure was passed in the last Parliament (but almost too late to be of any real benefit), by which an end was put to the practice which these companies had adopted of paying interest upon "calls." He certainly had endeavoured to accomplish much more; but it was almost impossible for any individual, without the assistance of Government to carry any measure against the strong party who were for unlimited power in managing these vast speculations, and therefore he was obliged to be content with what he did obtain. He hoped the country would take a lesson for the future from the past, and regulate this power of borrowing money with reference to the means which the country possessed of furnishing the capital sought to be raised.

MR. HUDSON: I can bear testimony to the truth of the gallant Colonel's assertion, that he has on all occasions given the most strenuous opposition to railways, and all connected with them; but I cannot bear testimony to the same course having been pursued by the hon. Member for Coventry. That right hon. Gentleman has complained of the great number of Railway Bills that were passed during the last Session of Parliament, and has reminded us of the warnings which he gave as to the ruinous consequences that would follow the enactment of those Bills, and that he predicted they would involve the country (but which I totally deny) in that distress under which it is at this moment labouring. Now, I cannot forget that I had the honour of opposing the right hon. Gentleman in a project which he had for the formation of a railway connecting the town of Coventry with a little town called Southend. There was already a railway communication between these two places, and the proposed new line would only save three minutes in the transit; but the right hon. Gentleman was a most strenuous advocate for the formation of this new railway, and implored the House to pass the Bill. If any hon. Gentleman, therefore, is implicated in passing these measures more than another, I challenge the right hon. Gentleman as being that man. We have always heard that example is better than precept. The right hon. Gentleman set the example, and his late hon. Colleague followed it, for he supported the Bill. The people of Coventry were not enamoured with the new line, and were not quite convinced that their other hon. Member was right in not following the course of his right hon. Colleague, as the result of the late election has proved. As to the powers given to these companies, I am not prepared to say whether they are too extensive or not. All those companies with which I am connected have confined themselves very much within the powers that have been given to them with regard to borrowing money. The right hon. Gentleman seems to imagine that the only parties whose interests were to be regarded were those who borrowed money, and he did not take into consideration the interests of those who lent it. Why should not the poor man who by industry had accumulated a few hundred pounds be at liberty to invest it at a high profit when the opportunity was afforded him? The right hon. Gentleman would have him, as now, lend his money at a low rate of interest to the tradesman, the tradesman to the banker, and the banker to the merchant; or he would have him deposit it with the bill broker, in order that he may sustain large mercantile houses, such as those that have broken down during the recent distressing panic. But what can be better than furnishing the people of this country with the means of a fair and legitimate investment of their money? Rely upon it, if you do not furnish it here, they will find it elsewhere. This is not the only country in which capital can be invested in railways. If men, having money, do not find opportunities for profitably investing it in this country, they will seek those opportunities abroad. When money is making only two and a half per cent in this country, is it not natural to find it embarked in foreign railways? You cannot prevent it. Men having capital will carry it to the best market; and when interest is low in the employment of capital in one direction, it will necessarily flow into other channels; and a great blessing it is that it has flown in the direction it has. Though I was one of those who felt largely the inconvenience arising from the number of lines which were sanctioned by the House, yet, seeing the prospect of these undertakings, I believe there was no other course that the House could at that time take, though I

admit it has in some slight degree been the cause of the distress, by the power it has given of the increased consumption of the poor which has since ensued. But is it not enough to account for the distress that exists in this country to refer it to the large importations of food that have taken place, without endeavouring to ascribe it to the railways? The railways have not taken the gold out of the country. Every article they consume is the produce of British labour, and of British growth. Do we not increase your imports? and are we not enabling the poor man to live in greater affluence, and consume more largely the produce of this country? That is all the inconvenience we occasion you; and are these things evils, and to be deplored? The right hon. Gentleman the Chancellor of the Exchequer has said that the railways have absorbed the money which would otherwise be employed in the ordinary channels of trade; but is that money unprofitably employed? Are not the railways giving employment to large numbers of men? Do thoy not increase the consumption of farming produce? Is there not a great additional expenditure on horses; and are not the poor-rates considerably reduced? Depend upon it, my countrymen are too far-sighted not to know whether it is to their own interest that they should promote the formation of railways. Yet, the manufacturers are urging us not to make calls, and are advising men of property not to invest their money in railways. It would be well if these gentlemen would take advice themselves, and not give accommodation bills to foreign merchants, or carry on a forced trade by fictitious credit, thereby deranging the exchanges and interfering with the due course of commerce by the facilities which those bills afford. Had they limited their acceptances, stopped the importation of sugar and other foreign produce, and thereby kept the gold at home, they would have done some good, and have greatly mitigated the panic that has occurred. But what is their counsel to us? That we are not to expend money on labour; for it is upon labour that we do expend it. The right hon. Gentleman talks of railways paying dividends by money raised on bonds. Where does this occur? I know not. It may have occurred in his own country—in Scotland; but, I ask the right hon. Gentleman, has any railway stopped payment? Has any railway applied to the Chancellor of the Exchequer, asking for money? I believe not. I know of none. But I do know that when railway stock has been at a premium, Exchequer-bills have been at a large discount. I know that when you could not sell Exchequer-bills, you could sell railway stock; and I beg to tell the right hon. Gentleman that the public are much wiser than he gives them credit for. I do think that all this abuse of, and all this ill-feeling against railway undertakings, arises from very mistaken views of the matter. On the very first opportunity I had of expressing my opinion on the subject, I said that we could not construct railways, and at the same time import corn to a large extent. As soon as you import corn the gold leaves the country, and this necessarily contracts the circulation, so that your railway undertakings cannot proceed. For this reason I have not entered upon any new works for the last six months; but I have continued carrying on the old works, because, finding that I could procure labour at a cheaper rate than I could some little time ago, I determined to press on the works at greater speed than before. But if legislation is to interfere with the transactions of men engaged in the trading and commercial speculations of this country, then, I say, you must begin with the foreign merchant. You must tell him not to accept bills beyond a certain amount. You must tell the merchants of Liverpool that they shall not import cotton beyond a certain amount, nor accept bills beyond a limited sum. We all recollect how, in the year 1836, the Liverpool merchants went about everywhere endeavouring to raise the means to take up their acceptances. But you tell us that our case is peculiarly one for the consideration of the Legislature, because we come to Parliament asking for powers to enable us to make our railways. But it is you who force us to do so. We could make railways without your consent. We only want the land; but you say to us, "You shall not take a rood of land without our consent, on which we can legally exact tolls." And yet you allow others to do so. Many railways are constructed in the north of England upon what is called the way-leave principle, and these require no aid from Parliament. But why this prejudice against railways? We have the same interest and as strong a desire to promote the public welfare as any other class or interest in the country; and we are quite as much prepared to make any sacrifice that may be required of us for the benefit of the country. I cannot object to the Bill which the right hon. Gentleman the Chancellor

of the Exchequer proposes to introduce. For myself I do not want it, at the same time it may appease the angry feeling which now exists with respect to these undertakings. But I believe the best policy for this House to pursue is not to pass such Bills as the Coventry and Southend Bill, for a more absurd and ridiculous scheme was never proposed; and yet the right hon. Gentleman secured for it a majority, showing, at least, the powerful influence he possesses, and how high he stands in the estimation of the House. I won't go into the arguments which the right hon. Gentleman the Chancellor of the Exchequer read from the *Economist* newspaper. It was obvious from the beginning that the right hon. Gentleman was repeating the arguments of that publication; but it at length became so palpable, that he was obliged to read from the paper itself. The arguments appeared to me to be very fallacious; but it is of no use now to enter upon that question. I should like to learn from the Chancellor of the Exchequer what was the real situation of the Bank on the Saturday previous to the day when the right hon. Gentleman and the First Lord of the Treasury issued their joint letter. I should be glad to be informed what was the actual amount of the Bank reserve on that day. When some of my friends from the North waited upon the Chancellor of the Exchequer, he told them that good bills could be discounted, and that no person of good credit was refused accommodation. It so happened that I was in London on the Saturday before the letter was addressed by the noble Lord and the right hon. Gentleman to the Bank, and I had the honour of waiting upon the right hon. Gentleman, and told him that I had in my pocket some good things—some Exchequer-bills—but that they were of no use; for, though they were at a very low discount, yet I could not obtain any money on them. I told him that his own paper was undiscountable; and I believe that some of my undertakings must have stopped payment if the Government had not taken the course they did; for, although I had a large amount of Exchequer-bills, I could not get them discounted. I trust, when we come to discuss the Bank Charter Act, such changes will be made in it as will prevent the recurrence of such a crisis. The House will not do its duty to the public, nor meet the just expectations of the commercial world, if they do not make such provisions as shall in future render it impossible for any man to be destitute of the means of carrying on his undertakings while he has in his possession a large amount of Exchequer-bills. With respect to the selection of the Railway Bills to be carried on, I think you will experience some difficulty in determining that point; nor am I sure that legislation is always the best way of solving these difficulties. The commercial interest has suffered by the Acts of the Legislature; for instance, the measures adopted with respect to sugar have been the means of bringing ruin upon some of the first commercial houses in the country. In conclusion, I have only to repeat what I have already stated, that I will not oppose the introduction of the right hon. Gentleman's Bill, because I believe it will appease the public mind, though it will be inoperative as far as the companies with which I am connected are concerned.

Leave given.

The CHANCELLOR OF THE EXCHEQUER, in moving the appointment of a Committee on Railway Bills of this Session, stated that the Railway Bills suspended last Session would be included in the reference to the Committee.

Motion agreed to.

Committee to be nominated.

BUSINESS OF THE HOUSE.

SIR J. PAKINGTON rose to submit the Motion of which he had given notice, and the object of which was to give to Orders of the Day precedence over Motions until the Christmas holidays. He was unwilling to make his Motion without assuring those hon. Members who had given notice of Motions, that he had not the slightest intention of treating them with disrespect. It was also necessary he should state, that he brought forward the proposition without any previous communication with the Government. It was, however, his firm opinion that the Motion, if adopted by the House, would tend much to promote the general convenience of the House. It would, doubtless, be a deviation from the general practice, but one that was very desirable. No notice had been given by any independent Member of the House which might not be postponed to the usual Session next year without the slightest inconvenience to the public service. He would not except from that opinion even the bill of indictment preferred against the noble Secretary for Foreign Affairs, for certain high crimes and misdemeanors; for, indeed, it seemed not unreasonable to suppose that, to use a phrase often heard in the county courts, the noble Lord's trial

might be respited till the next Session without any material injustice to the public. Considering the state of Ireland, and the position of commercial affairs generally throughout the empire, Ministers had acted properly in causing Parliament to assemble; but, when they were convened at an unusual period to consider a particular subject, it was desirable that their time should not be wasted by the obtrusion of other questions of a dissimilar nature upon their attention. When the usual Session commenced, hon. Members would have an opportunity of propounding their crotchets to the House—perhaps he should have some of his own to bring forward; but it was desirable that, at present, the House should apply itself exclusively to the consideration of the business for which it had been specially assembled. The hon. Member concluded by moving, that Orders of the Day should have precedence of Motions on Tuesdays and Thursdays.

Mr. BANKES said, it appeared to him that the Motion was a very important one, and one of a most singular nature; and, under those circumstances, it was hardly possible the hon. Baronet could object to postpone it till next week. The proposition was one which ought not to be confirmed except in a full House, which there would be next week, for many Members now absent would then attend in their places on account of the important business which was to be brought forward by the Government. For his own part, he was prepared to meet the Motion with a direct negative. It was hardly possible to conceive a more extraordinary proposition than one which, at the commencement of the Session, would throw the whole business of Parliament into the hands of the Government. In that House Ministers were known only as Members of Parliament, and all Members had an equal right to submit to the House any propositions they might think fit to bring forward. It appeared to him, that in a constitutional point of view the hon. Baronet's Motion ought not to be entertained at all; but, at all events, it ought not to be pressed to a decision without due notice having been given. Such a move if made at the end of the Session might operate beneficially, because it would be idle for Members to bring forward propositions at a period when it was impossible they could lead to any practical result; but it was monstrous to propose to suspend the power of independent Members to take the initiative in legislation at the very commencement of the Session. To show how the hon. Baronet's Motion would operate, he begged to refer to his own case. He had given notice of a Motion relative to the office of President of the Poor Law Commission, which would admit of no postponement. The other night he asked the noble Lord at the head of the Government whether an appointment had been made, to the office; and the answer he received was in the negative. Now, the Act under which the appointment should be made, had been passed five months; and as the office had not been filled up during that time, he felt that he was justified in assuming it to be unnecessary, and, therefore, he meant to propose an Amendment to the Act, which would have the effect of dispensing altogether with the President of the Commission, and supplying his place by the Lord Privy Seal; that noble Lord having at present nothing to do. He was now spending his time in Italy, and interfering, as some thought, mischievously, in certain matters. He wished to find employment for the noble Lord at home, and he thought that, with the assistance of the two Secretaries, his Lordship would do the work of the Commission very well, and the country would save 2,000*l.* a year by the arrangement. Now, if the hon. Baronet's Motion should pass, he should be unable to bring forward that proposition, which certainly was of some importance to the public. He had referred to his own case only for the purpose of showing how the hon. Baronet's proposition would operate; but he objected to it upon constitutional grounds, and would meet it with a direct negative.

Mr. HUME expressed the pleasure with which he had listened to the observations of the hon. Member who had just addressed the House. It was surprising that the hon. Baronet should have submitted to the House a proposition which, if adopted, would have the effect of preventing the Members of the Commons from "offering that advice and assistance" to the Throne to obtain which, Her Majesty had told them, was her object in assembling Parliament at the present time. A more unconstitutional proposition than one which would leave Ministers at liberty to introduce only what measures they might please to bring forward, and tie up the hands of every other Member of the House, was never broached in Parliament. It was his opinion that the business of the House was much better conducted twenty years ago than it was at present. None of the restrictions now imposed upon the free action

of Members existed then, and the discussions which took place upon petitions were very advantageous to the public, because the topics were such as were suited to the occasion, and they frequently influenced the course of the Government. When the hon. Baronet gave notice of his Motion he thought that he had been in communication with the Government, who had given him to understand that they were desirous to get through with certain business, and no other; but that did not appear to be the case. Being of opinion that the proposition was an improper one to be made at any time, but more particularly at the commencement of a new Parliament, he hoped the hon. Baronet would withdraw his Motion, and not give the House the trouble of dividing upon it.

Mr. BROTHERTON was surprised at the disapprobation with which the Motion was received, because, when he suggested it on a former evening, it appeared to meet with unanimous assent. If it was the determination of Members to look upon this as the commencement of an ordinary Session, and prevent Ministers from passing their measures until after Christmas, be it so. ["No, no!"] The hon. Baronet's Motion had been made without any concert with the Government, and solely with a view to the public interests; but, as a proposition of that nature could not be carried into effect without something like general assent, he would recommend the hon. Baronet to withdraw it, although he feared the result would be that Parliament would continue to sit from November to Christmas without doing anything.

Mr. EWART said, that the House seldom violated any of its rules without having cause to repent it. Perhaps, as a compromise, the House might be induced to assent to the hon. Baronet's Motion, if it should be made applicable to only one of the two days to which it now referred.

Lord J. RUSSELL said, that a Motion of this nature could not be adopted without the general concurrence of the House. If the House should be of opinion that it would tend to promote the public convenience to make the proposed alteration, it was quite competent to them to do so; but, as he had before said, it would not be desirable to adopt it without a general expression of opinion in its favour. Perhaps, after what had passed, the hon. Baronet would withdraw his Motion without attempting to divide the House upon the question. However, as the question had been raised, he would take the liberty of suggesting to hon. Members who wished to bring forward Motions, that unless they were of a very pressing nature, they should withhold them on Tuesdays and Thursdays, and allow the Orders of the Day to have precedence. It would be of great public convenience to finish the business for the consideration of which Parliament was specially assembled at this time before Christmas; and he believed that hon. Members themselves would not like the House to be adjourned on the 24th of December to meet again in a week.

Sir J. PAKINGTON agreed in the opinion expressed by the hon. Member for Salford and the noble Lord, that it would be undesirable to carry the Motion without the general concurrence of the House; but he was certainly very much surprised at the strong opposition which was offered to his proposition; for nineteen out of every twenty Members with whom he had conversed in private had expressed their approval of it. He concurred with the noble Lord in hoping that hon. Members would not retard the progress of business by the interposition of useless Motions.

Motion withdrawn.

THE RAJAH OF SATTARA.

Mr. HUME rose for the purpose of putting the question, of which he had given notice, namely, whether, after the publicity of Major Carpenter's declaration of his belief of the ex-Rajah of Sattara's undoubted innocence of the charges brought against him, any measures had been adopted by the Board of Control to allow the ex-Rajah to prove his innocence, which he was able and ready to do, if an opportunity was afforded him, as stated in the papers before Parliament? The hon. Member said, that it was due to the honour and character of the country that justice should be done to the unfortunate Prince, who was the subject of his question. A document had been written by an officer of the East India Company, which went altogether to exculpate the Rajah from the charges which had been made against him, and under the colour of which he had been deprived of his throne; and yet that document was not alluded to by the hon. Baronent opposite (Sir J. Hogg), when in his official condition with the East India Company he had signed a paper agreeing in the treatment which the Rajah had received. The officer who wrote that document (Major Carpenter) was appointed by the Company to inquire into the subject,

and yet the hon. Baronet appeared to be ignorant of its existence.

Sir JAMES HOGG: Major Carpenter had been directed to inquire, but not to deliver any opinion on the subject.

Mr. HUME considered that no justification of the Government for not publishing a document which went altogether to exculpate the deposed Prince who had been the subject of Major Carpenter's inquiry. Was that a justification of their having asked the Rajah to declare himself guilty? What was the answer made to that request? He said he would rather die than do so—that there were two things which nothing could induce him to do, namely, to abjure his religion, or injure the East India Company. Major Carpenter had the care of the Rajah confided to him, and in the fourth paragraph of his letter of the 25th of May, 1846, to the Secretary of the Governor General, he said—

"When the Rajah was confided to my charge early in 1840, I considered it necessary for the effectual discharge of my duty to make myself acquainted with his history. * * * I therefore carefully studied the whole of the voluminous documents connected with his case, and the result was a belief in his innocence; and this belief has since been confirmed beyond a doubt by subsequent disclosures."

Now, if these disclosures had created in the mind of Major Carpenter an impression that the Rajah was innocent, he thought this was a question which was well worthy of the consideration of the House, and was a fit subject for the exercise of their sense of justice and humanity. He believed that the Rajah had been unfairly deposed, though at first he entertained an opinion unfavourable to his case; but now, believing him to be an injured and innocent man, he had taken up his case, and had carried it on for five or six years; nor would anything induce him to give it up till justice had been done to the Rajah. If the last House of Commons did not do the Rajah justice, it was because they were ignorant of the real facts of the case. In a letter written by the Rajah, and forwarded to the Governor General of India, in December, 1844, that unfortunate Prince, who had been twenty years the friend and ally of this country, stated that he had been condemned without a hearing, and offered to prove his innocence if a fair trial were granted him; yet up to this hour he had never received any answer to that application. He, therefore, asked the House to give the Rajah an opportunity of proving his innocence, and then he should be satisfied. He would ask the Government—if there was any Member of the Government present—and having given notice to the Secretary of the Board of Control, he had hoped that some Member of the Government would be in attendance—what course they intended to take in this matter. He begged leave now to move for—

"Copies of all documents referred to by Major Carpenter, in his letter of the 25th day of May, 1846, to the Secretary of the Governor General, by which disclosures respecting the proceedings at Sattara had been made that confirmed beyond a doubt Major Carpenter's belief of the innocence of the ex-Rajah of Sattara, now an exile and a prisoner at Benares, and under the surveillance of Major Carpenter, by order of the East India Company; and of a letter from his Highness the deposed Rajah of Sattara to the right hon. Sir H. Hardinge, Governor General of India, dated Benares, December 12, 1844; together with all minutes and correspondence connected therewith."

He should conclude by asking the Government whether, after the publicity of Major Carpenter's declaration of his belief of the ex-Rajah of Sattara's undoubted innocence of the charges brought against him, any measures had been adopted by the Board of Control to allow the ex-Rajah to prove his innocence, which he was able and ready to do if an opportunity was afforded him, as stated in the papers before Parliament.

Mr. EWART would add his tribute of admiration of the character of the ex-Rajah, and would express his belief of his innocence, and bear testimony to the manly spirit which he had manifested in his misfortunes.

Mr. LEWIS regretted the absence of the President of the Board of Control, who was far more competent than he could pretend to be, to reply to the statement made by the hon. Member for Montrose. He had not the honour to be in the House in the last Session of Parliament, and his recent appointment to the India Board had not allowed him to make himself acquainted with the details of the case. He gave the hon. Gentleman the fullest credit for the motives which had induced him to press this Motion; but he trusted that the House would not consider that he treated it with any disrespect if he confined himself to the notice which had been given, and declined to follow the hon. Member through the details into which he had entered. He would only enter his protest against any admission of the innocence of the Rajah, or of any important inference being deducible from the facts which had

been stated. Major Carpenter was the agent of the Governor General in India, and the Rajah was placed under his charge. Major Carpenter had not had access to any of the original documents; and his opinion was founded simply, as he stated himself in his despatch, on the documents which had been published for the use of the Members of the House of Commons. He, therefore, could not see that Major Carpenter had any peculiar means of information; and this was the ground by which Sir J. Hobhouse was actuated in forming his opinion. The despatch of Major Carpenter had been in Sir J. Hobhouse's possession from the 12th of August, 1846, and that despatch did not alter the opinion which the President of the Board of Control had formed upon the case, nor did its subsequent publication. There appeared to be no reason why the giving publicity to that despatch should effect any change in the opinion of the Government. The answer, therefore, which he had to give to the question put by the hon. Gentleman, was, that no step had been taken by the Government in consequence of the publicity of that despatch. There would be objection, however, to the production of the papers referred to by Major Carpenter, though he understood that they were all contained in a return already on the table of the House. With respect to the letter written by the Rajah to the Governor General, he could only say that he was not aware of its having been previously published. No copy had been officially transmitted to this country, and, therefore, at present the Government had no power to comply with this part of the hon. Member's Motion. The President of the India Board wrote a despatch on the 7th of October last, requesting that a copy of that letter might be forwarded to this country, and when it arrived it should be produced. Before he sat down he would merely refer to one point, which was not within his own personal cognizance, but on which he was desirous of removing some misunderstanding which had existed. The hon. Member seemed to be under the impression that Sir J. Hobhouse had stated the letter of Major Carpenter contained nothing favourable to the case of the Rajah; but what Sir J. Hobhouse said, was that the Governor General's despatch was unfavourable, not that of Major Carpenter.

Mr. G. THOMPSON said, that for the last seven years he had made the case of the Rajah of Sattara his peculiar study; and, simply because he had done so, and had devoted a very large portion of that time to the examination of the papers connected with it, he might, without presumption, say that he believed himself to be more intimately acquainted with the contents of all the documents produced in that House or elsewhere than perhaps any other living individual. For these reasons, and also from his having visited India, and been permitted, through the kindness of the Government there, to confer with the Rajah, as well as from his having been somewhat connected with the production of the papers before the House, he might, perhaps, be permitted to address to the House a few words on this subject. But he had another reason for asking their indulgence; and that was, that there was nothing which he, from his heart, more firmly believed than that the Rajah was innocent. He would state his conviction, that there was not a tittle of direct evidence against that Prince. He was ready to admit that the opinion of Major Carpenter was but the opinion of an individual, and of no value except from the character of the individual who gave it; but he thought the House should know what was the real value of that opinion. Major Carpenter had been in the service of the East India Company for twenty-eight years, fourteen of which had been passed in political employment; and not only was he the officer in charge of the deposed princes at Benares, but he was especially appointed to inform himself of the manner in which those princes were engaged. Now, when the Rajah was first removed to Benares, in 1840, he bore the character of an intriguing prince. It was at that time universally believed that a feeling of hostility and combination against British rule existed in various parts of India, especially in the Deccan, in which Sattara was situated, and the Rajah was considered to have been the principal conspirator. That opinion was entertained by Major Carpenter, and, believing that in a large and populous city like Benares the Rajah might have found a field for intrigue with almost every native court in the country, he said that he considered it necessary to the proper discharge of his duties to become fully acquainted with the Rajah's character. At that time he entertained no doubt of the Rajah's guilt. But Major Carpenter had been most intimate with the Rajah, and almost tenant of the same room with him

for six years; and what was the opinion he now entertained? He said he never met with a man so transparent and so honest to a fault to his own injury, as the Rajah of Sattara. Again, he must remind the House that when the Governor General of India, in his reply to Major Carpenter's letter, told him he had overstepped his duty in giving an opinion on the Rajah's conduct, there was not one syllable in that despatch that intimated in the slightest degree a difference of opinion on the part of the Governor General from Major Carpenter as to the innocence of the Rajah. The Governor General did not impugn that opinion; but said, as far as he recollected, "Whatever the real facts of the case may be touching the real guilt or innocence of the Rajah, you went beyond your duty in giving an opinion on the subject." But if Major Carpenter did commit an error upon the occasion, it was an error that would be forgiven by that House, and by every right-minded man. With those feelings, he should consider it his duty to render his best service to the hon. Member for Montrose, who had so long, so energetically, and so perseveringly supported the Rajah's cause in that House; and without any desire of embarrassing the Government, still less of injuring their reputation, and thereby damaging their influence—for with no such feeling had he crossed the threshold of that House—he should pursue that course from a sense of duty to his constituents, and to the country, and from the firm conviction he had long entertained on this subject. Whenever the House should grant an inquiry into this case, he would undertake to demonstrate by no hearsay evidence—by no testimony that would admit of suspicion—that the Rajah was an innocent man. They wanted no commission in India, no hon. Member to pin his faith to native testimony, no entering into conflicting evidence; but he was prepared to prove that every document produced to condemn the Rajah was a forgery and a fabrication; that every witness against him was a perjured man; and he would tell the House how much was given for what those witnesses did or said, by whom they were hired, who instigated the hirers, who put the secret springs in motion, and would bring home to every man, European or native, the charge he now brought against all concerned in that iniquitous proceeding in India—that it was a conspiracy to depose the Rajah—and why? A despatch that was sent out to India, in September, 1835, declaring the unanimous opinion of the Court of Directors on the Rajah's claim to the sovereignty of certain territories, was concealed from him, and had been so concealed from that time to the present; and it was because he wished to despatch certain agents to this country to appeal to the Court of Directors upon that question of his sovereign rights—and because the Government of Bombay knew that if those agents did come over and make inquiry as to the feeling of the Directors, they would be told that the despatch he had referred to had been sent out to settle that question—that to prevent those agents coming over the conspiracy was set on foot that had ended in the deposition of the Rajah. It was upon these grounds that he gave his cordial support to the Motion of the hon. Member for Montrose.

Sir J. W. HOGG said, that, with reference to the broad and sweeping charge of conspiracy made by the hon. Gentleman who had just spoken, implicating as it did every authority in India, every individual, European or native, who, in the discharge of his duty, had found the Rajah guilty, he would beg the House to bear in mind that Sir Robert Grant, then Governor of Bombay, and all the members of his council, unanimously but reluctantly came to the conclusion of the Rajah's guilt. Two successive Governors of Bombay, and all their members of council, came to the same conclusion. The Governor General at that time, Lord Auckland, as distinguished a man as ever ruled over India, and all the members of his council, came to the same conclusion. The hon. Gentleman had told them that he was well acquainted with all the despatches, and was convinced of the Rajah's innocence. He had no reason to doubt the hon. Gentleman's sincerity of purpose, or the honesty of his conviction; but why should not those who had had better opportunities than the hon. Gentleman of becoming acquainted with this case—men of as high honour, and as intelligent, and acting under an imperious sense of public duty—have the credit of being equally honest in their conviction that the Rajah was guilty? Putting authority against authority, they had the Governors of Bombay and their council from that time to the present, Lord Auckland and the members of his council, the Court of Directors, and three successive Presidents of the Board of Control, who had come to that conclusion; and the matter had been

again and again discussed in that House during the last seven years, but that House had refused to disturb that decision. What he complained of in the hon. Member for Montrose, was the colour he had given to the papers before the House; and when he told them how those papers came to be laid on the table, those who were not cognisant of the facts would admit that he had a right to complain. The hon. Member for Montrose had given the House to understand that the Governor General of India had referred to a public officer to give his opinion on a particular question; that that officer gave his opinion, and because it was adverse to the opinions entertained by the Government he was rebuked. Then the hon. Gentleman who last spoke, had stated in the Court of Proprietors of the East India Company, that Major Carpenter, the agent of the Governor General, had gone to the Rajah, and made certain proposals to him on behalf of the Government, and had said to him, "You had better admit your guilt, for then they will allow your son to be adopted;" and that we offered him a number of temptations. Every individual connected with the Government of India was of course astonished when the hon. Member for the Tower Hamlets, before the Court of Proprietors, made that statement. No one had ever even heard of such a communication; and all felt directly satisfied that it was impossible any such proposals ever could have been made. [Mr. THOMPSON: I stated only that there were rumours of such proposals.] He did not mean to say that the hon. Member had made the statement on his own personal knowledge; but, having heard of the assertion, he made the most of it; and what was his inference?

"Look," said the hon. Member, "how conscience-stricken is the Government of India! They endeavour to extricate themselves from the scrape by declaring the Rajah guilty; they then authorise their own agent to make certain propositions to the Prince, which they agree to carry into execution, if he will only consent to put them right with the world by admitting these charges to be just, and that he is guilty!"

He scouted at once the supposition that there could be any foundation for the story. The Court of Directors took immediate steps to inquire into the matter. They sent despatches to Lord Hardinge, desiring him to call on Major Carpenter to know from that officer if the allegation was true—to obtain information as to whether he had any authority from the Governor General to make the asserted communication, or whether in coming forward with such proposals, he had acted without the concurrence of his superiors. As it had been represented by the hon. Member for Montrose, it would appear as if Major Carpenter had been applied to concerning his opinion of the guilt or innocence of the Rajah whom he had in charge; in reality no such call was ever made upon him, nor were his sentiments on the subject ever attempted to be elicited. When the Governor General, at the request of the Court of Directors, applied to him, all that was asked was, "Did you, Major Carpenter, make such a communication? And if you did, explain your conduct, and show that you, as a public servant, did not act in direct dereliction of your duty." And in point of fact, Major Carpenter was the only man in India who could not give an opinion in the question. The Government of India had declared the Rajah of Sattara guilty of certain offences, and had directed that he should be held in confinement at Benares. This particular officer was appointed to take charge of the deposed Prince; and, while retaining him in safe custody, to see that his imprisonment, if it might be so called, was made as little irksome as possible, consistently with that object. Major Carpenter occupied the position of a gaoler; and for him to ask for evidence, or to express doubt of the facts on which his charge had been convicted by the highest tribunal of India, would have been, indeed, very extraordinary conduct. What would have been thought of Sir Hudson Lowe, if, when keeping Napoleon safe at St. Helena, he had read a lecture to the Government of that day upon the impropriety or injustice of having such a distinguished personage under lock and key? And if Sir Hudson Lowe, had so absurdly stepped beyond the limits of his duty, would any Member of the then House of Commons have been entitled to adduce that opinion as a sound one in favour of the character of the Emperor? When felons were committed to Newgate, the gaoler was not justified in remonstrating with the judge, or, whatever might be his own conviction, in pointing out that the jury had made a mistake, and that the verdict ought to be quashed. Major Carpenter had no new evidence which could have enabled him to come to any more correct conclusion than that already recorded against the Rajah. Major Carpenter knew nothing but that with which any Member of the House

might make himself acquainted on a perusal of the blue books. Major Carpenter was not even made aware of the peculiar circumstances which had led to the deposal and afterwards to the confinement at Benares of the Rajah. The Government never even deemed it necessary to make him acquainted with the private history of the affair; and, but for certain documents laid on a Motion before that House, he would have known only what was known to every official in India. The hon. Member for Montrose had assumed conversations to have taken place between the Major and the Rajah; he had distinctly declared that the Rajah had received from that officer certain offers, the nature of which had been detailed to the House; and the hon. Member told this story, though while speaking he held in his hand a paper in which the charge had been denied by Major Carpenter *in toto*. The reply of Major Carpenter to inquiries was, that the "alleged conversations so minutely recorded were so directly at variance with the numerous consultations he had held with the Rajah regarding the general state of affairs, that he must at once pronounce the greater part of them to be purely imaginary;" he in addition, declared that "the propositions" (on which the hon. Member had laid so much force) "were never at any period, either directly or indirectly, made by me to the ex-Rajah of Sattara, either on my own responsibility, or by the authority of the Governor General." Now, this was a pretty broad disclaimer, sufficiently emphatic to rebut all the charges created by the hon. Member. Major Carpenter, as a man of honour and integrity, was to be believed; and after his sweeping denial nothing more could be said of his having made the offers of the description alluded to. Major Carpenter could only give his opinion by violating his duty; and Lord Hardinge spoke unreservedly of the impropriety of an officer in such a position interfering at all. The denial which he tendered to the Governor General was duly acknowledged, and the remarks which accompanied the letter were important:—

"You have (said the Secretary) in the opinion of his Lordship, by your own showing, very much mistaken your duty to the Government in the position which you occupied, by the course of conduct you describe yourself to have pursued with regard to the ex-Rajah of Sattara since he has been placed under your charge at Benares. His Lordship is also of opinion that your assertion of the ex-Rajah's innocence of the charge of which he was convicted, and of his ability to prove that innocence, is as unbecoming as it was uncalled for. The Government for the time being and the Court of Directors having convinced themselves of the ex-Rajah's guilt, decided on deposing him from his throne, and sentenced him to confinement at Benares. At Benares you were charged with the prisoner's custody; with the charges decided against him, and his previous conduct, you had no concern; and, considering your official position, it was to be expected that while treating the Prince with all consideration and kindness, you would scrupulously avoid any discussion of the accusations on which the final decision of the Government had been passed, and even discard all allusion to them by the ex-Rajah in your presence."

[*Cheers.*] He did not understand those derisive cries of "Hear, hear!" Surely no fault could be found with the Governor General for telling an officer, the most confidential that could be appointed, and holding a station, in a minor degree analogous to that of an ambassador in Europe, that he is not to go to the person at whose court he is resident, and to persuade that person that the Government he represented had acted unjustly? No one could question the propriety of the rebuke given to Major Carpenter; and though he imputed no improper motives, he must candidly confess he thought that in exercising his judgment in the matter, and giving his opinion, that officer had grossly violated his duty. Major Carpenter, on receiving the reprimand, acknowledged his fault, and offered an apology. He admitted that in ordinary circumstances an officer having charge of a dethroned prince had no concern whatever with the previous conduct of the prisoner, or with the justice of the sentence from which he was suffering. He endeavoured to show that this case was a peculiar one, and that in acting as he did he had not exceeded his duty. Well, what made this an extraordinary case? There might have been some justification for his proceedings if he had been in possession of particular information, throwing new light on the case, and of which the tribunal by which the Rajah had been condemned had been left in ignorance; but there was nothing to show that this was the case, although, by implication, the hon. Member for Montrose had given the House to understand that Major Carpenter was better able to judge than any other individual in India of the entire innocence of the unfortunate Rajah. Putting aside, however, all discussion of his guilt, hon. Gentlemen must consider the circumstances in which the Government was placed with regard to the Rajah. He had very little reason to complain of the conduct of the Government

towards him. The revenue of his territory had only been about 10 lacs, or 100,000*l.* He was taken by the Government from a dungeon—["No, no!"]—or at any rate out of captivity, in which, had they not come to his aid, he would probably have for ever remained; and, out of motives of compassion, he was so far befriended as to be placed upon the throne of Sattara. When the Government became apprehensive that by his conduct he would raise a flame of revolt throughout the whole continent of India, he was deposed and consigned to a sort of demi-confinement, and his income then was made 10,000*l.* a year, the tenth part of his former revenue. There was no penury or misery in the case; and whatever Major Carpenter might have said, the opinion proceeded only from an individual, and that individual, it had been made apparent, had not acted in a manner to impress his superiors with a conviction of the soundness of his judgment.

Mr. ANSTEY could now picture to himself what must be the condition of the people of India, governed by a Company, one of the members of which did not hesitate to give utterance to principles of morality such as they had just heard. He rose, however, not to comment upon the policy which it was declared ought to guide officials in their intercourse with the natives of India, but merely to do justice to the reputation of a meritorious officer. The motives and conduct of that officer had not been stated fairly. Major Carpenter, it was true, as the hon. Baronet said, had denied the accuracy of the conversation reported to have passed between himself and the Rajah at Benares; but the House had not been favoured with the Major's explanations as to those portions of the colloquy which were correct, and those which were purely imaginery. In all essential points, the allegation of proposals having been made by Major Carpenter to the deposed Prince to confess himself guilty, as a condition of perfect freedom, remained still uncontradicted. The declaration of the Rajah was, that offers were made to him to relinquish all further claim to the Sattara throne, as he had spent ten years in unavailing efforts—to withdraw his Agent from London—and cease to use any exertion to influence the Government in his favour. There was no proof before the House that such proposals had not been made; and that they had not been made by Major Carpenter. With respect to Major Carpenter, that gentleman had been likened to a gaoler and ambassador, as it suited the turn of the argument: that the position of Major Carpenter was, in some respects, similar to that of an ambassador, he would not deny; but he had yet to learn that the duties of an ambassador, even at the court of an independent prince, obliged a man of honour to conduct himself upon the principles indicated by the hon. Baronet, or to execute orders blindly, concealing from the knowledge of a friendly prince matters that tended to his advantage, although possibly prejudicial to the policy of those whose colleague or inferior he might be. In this instance there were peculiar obligations upon Major Carpenter; for while he represented the rights and interests of the British Crown, he had also been appointed with large discretionary powers as a confidential counsellor of the immured Prince; and was consequently more than ordinarily bound to act according to those principles of truth and justice which the hon. Baronet appeared to repudiate. He denied that Major Carpenter was bound blindly to obey the orders of his masters, when he had become convinced of their injustice and illegality; on the contrary, he was bound to disobey them. He contended that the Major had exercised his large discretionary powers wisely in taking this course; and he expressed his conviction, which he trusted the House would share with him, that there had been the blackest guilt on the part of those who had oppressed the Rajah—that the Rajah was innocent—that the case was no longer one of charge against that Prince, but against Ministers at home and their delegates abroad—and that it called for inquiry, for impeachment, and for punishment.

Mr. WAKLEY believed, that the hon. Baronet could not lay his hand upon his heart, and pledge his honour that he believed the Rajah guilty. The hon. Baronet had spoken of the Rajah having a gaoler. Had he had a trial? If he had a gaoler, had he had a jury? It was notorious that the Rajah had been treated as a guilty man, and most grievously punished; but had never undergone the ordeal afforded in this country to a man accused of a capital crime. He had not had a trial; he had not been heard in his defence; he had not seen the evidence upon which he had been convicted. But it was waste of time to say more now. Another Motion of a similar character must shortly be brought forward, and then the justice

of the House would be tested. He contended that Major Carpenter had violated no confidence, and broken no obligation imposed upon him by his situation. He had been asked to report by the Secret Department, and he had made his report secretly. It had been only by a fortunate accident that the communication had been brought forward. He was sorry to see the hon. ex-Poor Law Commissioner (Mr. Lewis) in the situation he occupied that night; for he should have hoped that the maiden speech of the hon. Gentleman would have been directed to a different object than that of withholding justice from a persecuted man. However, it was fortunate that no board of guardians had jurisdiction in the matter to act under the hon. ex-Commissioner's instructions; for if so, the Rajah might esteem himself fortunate if he obtained an allowance of 3lb. of gruel and 16oz. of bread. He trusted that ultimately the House would decide that the Rajah was an injured man, and entitled to justice at their hands.

Motion agreed to.

House adjourned at Nine o'clock.

HOUSE OF LORDS,

Monday, November 29, 1847.

MINUTES.] *Took the Oaths.*—Several Lords.

HOUSE OF COMMONS,

Monday, November 29, 1847.

MINUTES.] PUBLIC BILLS.—1° Crime and Outrage (Ireland).

2° Railways.

PETITIONS PRESENTED. By Sir R. H. Inglis, from Wakefield, against, and by Mr. J. A. Smith, from Chichester, for, the Removal of Jewish Disabilities.—By Lord John Russell, from Glasgow, for the Abolition of Tests in Scotch Universities.—By Sir De L. Evans, from Westminster, and Sir B. Hall, from Marylebone, for Inquiry respecting the Rajah of Sattara.—By Mr. F. O'Connor, Colonel Thompson, and Mr. J. Williams, from several places, against Coercion, and for Measures of Amelioration (Ireland).—By Mr. A. Hastie, from Cotton Workers of Glasgow, for Consideration of their Trade.—From Norwich, for the Adoption of a High Court of Judicature for Settling Disputes between Nations by Arbitration.

HEALTH OF TOWNS.

MR. BAINES inquired of the noble Lord at the head of the Woods and Forests, whether it were the intention of the Government to introduce into Parliament any measure relating to the public health of towns?

VISCOUNT MORPETH begged to say, in answer to the question, that it was the hope of Her Majesty's Government to be able to introduce a measure with respect to the health of towns at an early day on the reassembling of Parliament after the Christmas recess.

DR. BOWRING inquired whether it were intended that the metropolis should be included within the provisions of such Bill?

VISCOUNT MORPETH could not answer the question at present.

RELIEF MONEY (IRELAND).

MR. FRENCH inquired of the Chancellor of the Exchequer what course Her Majesty's Government meant to adopt for the recovery of the monies advanced to the several unions in Ireland, under the provisions of the Act 10th and 11th Victoria, c. 7, for the relief of the destitute poor, and how much of the money so advanced it was their intention to insist on the repayment of? He would also inquire whether or not it was the intention of Government to have those works completed which had been undertaken in Ireland under the provisions of the Act 1st and 2nd Victoria, c. 21, and, if it should not be the intention to complete those works, whether or not they intended to ask from the grand juries repayment of any monies expended by them on such works? He was aware that the first question had received an answer in the Parliamentary papers delivered that morning; but he begged notwithstanding to put it to the Chancellor of the Exchequer, in order that the answer might, through the instrumentality of the public press, go forth to the people of Ireland. With respect to the second question, he wished to guard himself from the supposition of desiring to draw from the Chancellor of the Exchequer any statement involving any further advance of money to the people of Ireland. What he wanted to know was, whether the Government would perform the engagements under which the works were undertaken?

The CHANCELLOR OF THE EXCHEQUER: The first question of my hon. Friend refers to the repayment of a portion of the sum advanced under the Temporary Relief Act, or the Ration Act, as I believe it is called in Ireland, which was passed to enable Her Majesty's Government to supply with food, during the summer, a great number of destitute persons in Ireland. I stated, early in the last Session, what the probable amount required for that purpose would be, and I am happy to say that, mainly in consequence of the fall in the price of provisions,

and the care taken in administering the funds, the sum required falls considerably short of the estimated amount. The vote I took for this purpose was for a sum not exceeding 2,200,000*l.*, and the actual expenditure—though relief was afforded to a much later period than was at first intended—including the maintenance of the fever hospitals, does not amount to more than 1,673,000*l.* The sums to be recovered from the different unions vary according to the ability of the various unions to repay the amounts advanced; and hon. Gentlemen who refer to the papers which have been laid on the table will find that there is a material difference, according to the circumstances of the unions. In the union of Ballina, for instance, which is one of the most distressed, the amount to be repaid is 13,716*l.*, the amount of grant being 43,610*l.* In the Ballinasloe union the sum to be repaid is 20,346*l.*, and the amount of grant 11,124*l.*; the total net amount advanced by the Relief Commission being 81,470*l.* The sum to be repaid by the Westport union is 5,624*l.*, the amount of grant being 37,993*l.*; and in the Wexford union 7,866*l.* is to be repaid, the grant being only 657*l.* With regard to the second question put by the hon. Gentleman, as to what is to be done with reference to the completion of the works undertaken in Ireland under the provisions of the 1st and 2nd Victoria, c. 21, that must depend mainly upon what the grand juries in Ireland choose to do. It was stated, in the first instance, on the part of the late Government, that these works were not undertaken with the view of completing them, but mainly for the purpose of affording employment to the people during a period of distress; and it has been announced, in several documents since laid on the table, that the Government do not undertake to complete those works. With regard to the repayment of the monies which have been on such works, I do not think, on referring to the Act, that there is the slightest ground for a claim, on the part of the counties, to be relieved from any portion of the repayment until the works are completed. The 8th Clause of the Act 1 and 2 Victoria, c. 21, is in these words:—

"And be it enacted, That a moiety of the monies so from time to time advanced for the execution of public works in any county, pursuant to the application of the justices and cesspayers assembled at special sessions as aforesaid, shall be repaid by grand jury presentment, at such time and in such manner, and with such interest, as the said Commissioners of the Treasury shall appoint and direct."

That is to say, that one half of the sums advanced from time to time is to be presented by the grand juries, and to be repaid with interest, as the Treasury may direct. I consider that these works now stand much in the position of other works. They have been continued as relief works; the necessity for their continuance as relief works has ceased; and I therefore do not propose to impose upon the people of this country any further burden, merely for the purpose of completing those works. But, as I privately announced to the Lord Lieutenant of Ireland some time ago, I am ready, as soon as the repayment of these advances begins, to re-advance the amounts so repaid for the purpose of completing the works undertaken under the Act.

BANKING—SCOTLAND AND IRELAND.

Colonel MURE wished to put a question to the right hon. Baronet the Chancellor of the Exchequer, of which he had given him notice. The House was aware that the provisions of the Bank Act of 1844, while they comprehended the provincial banks of England, did not extend to the banking systems of either Scotland or Ireland, a separate Act having been passed with reference to those countries in the Session of 1845; and he wished to ask whether it were the intention of the Government that the Committee for which the right hon. Baronet intended to move to-morrow should take up the question of the monetary system of Scotland and Ireland in connexion with the monetary system of England, or whether it were their intention that the monetary system of the two former countries should form the subject of a separate inquiry?

The CHANCELLOR OF THE EXCHEQUER replied, that if the hon. Gentleman referred to the words of his notice, he would see that it was general. He proposed that the Committee for which he intended to move should inquire how far the recent commercial distress had been affected by the laws for regulating the issue of bank-notes payable on demand.

HOP DUTY—EXCISE LAWS.

Mr. FREWEN wished to ask the Chancellor of the Exchequer whether, as it was his intention to submit to Parliament a measure for the revision of the Excise laws, he could hold out any hope that he would propose the repeal of the duty on hops?

The CHANCELLOR OF THE EXCHEQUER replied that he had, on a former occasion, informed the House that he might be able to propose considerable changes in the Excise laws, but he had added, as a special proviso, that the revision would be such as not to interfere with the revenue. He thought it would not be proper that he should now anticipate the statement he might hereafter have to lay before the House, and the hon. Member for Sussex must therefore excuse him for declining to answer that question.

ISLE OF MAN.

DR. BOWRING inquired whether it was the intention of the Government to recommend Her Majesty to issue a commission, similar to that which had been appointed to prosecute inquiries in the Channel Islands, with the view to the reform of the civil and criminal judicature of the Isle of Man?

SIR G. GREY stated, that the Government did not at present entertain any intention of issuing such a commission; and he was not encouraged by the commission which had been appointed with reference to the Channel Islands to recommend such a step. At the same time he might state, that if sufficient grounds were shown, he would be ready to assent to an inquiry.

SUPPLY.

House in Committee of Supply.

The passages in Her Majesty's Speech relating to Supply having been read,

MR. PARKER moved that the Supply be granted to Her Majesty.

MR. HUME wished, before the question was put, to ask whether it was the intention of the Government, before proposing the continuance of the income-tax, to institute any inquiry into the nature of the existing taxes, and the propriety of altering, reducing, or abolishing any of them? He thought the time had arrived when the expenditure of the country rendered it necessary that this subject should be considered in all its branches. The means of revenue were diminished, and they ought to consider whether the requisite taxes could not be raised with less trouble and expense to the community. He thought that a Finance Committee ought to be appointed, in order that this matter might be fairly and properly considered.

LORD J. RUSSELL stated that it was not the intention of the Government to propose the appointment of any Committee, either on the question of general taxation, or upon the whole expenditure of the country.

MR. HUME observed that, after the noble Lord's statement, he should think it his duty to submit to the House the propriety of appointing such a Committee as he had mentioned.

LORD J. RUSSELL was understood to say that, if the hon. Gentleman brought forward such a Motion, he would propose an Amendment upon it.

Motion agreed to. House resumed.

CRIME AND OUTRAGE (IRELAND).

SIR G. GREY moved, that so much of Her Majesty's Speech as related to Ireland be read.

The following passages were accordingly read by the Clerk at the table:—

"Her Majesty laments that in some Counties of Ireland atrocious Crimes have been committed, and a Spirit of Insubordination has manifested itself, leading to an Organised Resistance to legal Rights.

"The Lord Lieutenant has employed with Vigour and Energy the Means which the Law places at his Disposal to detect Offenders, and to prevent the Repetition of Offences. Her Majesty feels it, however, to be her Duty to her peaceable and well-disposed Subjects to ask the Assistance of Parliament in taking further Precautions against the Perpetration of Crime in certain Counties and Districts in Ireland."

SIR G. GREY said: Sir, it is with feelings of deep regret that, in accordance with the recommendation conveyed in those passages of Her Majesty's Speech which have just been read, and in the discharge of an imperative duty, I rise to ask the House for permission to lay upon the table a Bill for the better prevention of crime and outrage in certain districts of Ireland. The attention of Parliament has recently been largely directed to the affairs of that portion of the United Kingdom. In consequence of that visitation of Providence—unprecedented, perhaps, in its suddenness and in its extent—which, while it inflicted severe privation on the inhabitants of most of the countries of Europe, fell with peculiar intenseness and severity on the people of Ireland, on account of the unfortunate dependence of the great majority of the population on that article of food, which, from causes which have hitherto baffled all research and inquiry, was almost totally destroyed—in consequence of the severity of that calamity, and of the intenseness with which it visited Ireland, successive Governments—the Government of the right hon. Baronet opposite (Sir R. Peel) in the first

instance, and the Government of my noble Friend (Lord J. Russell) afterwards—felt it their duty to propose to Parliament measures calculated to mitigate the distress and to relieve the destitution with which the people of Ireland were afflicted, and to arrest the progress of famine and disease, which were rapidly spreading through that unhappy land. Parliament responded readily to the appeals made to it by successive Governments, and various Acts were passed sanctioning measures calculated to effect the object with which they were prepared. Acts were passed authorising grants and advances of money, partly for the purpose of immediate relief for a pressing and emergent necessity, partly for the purpose of enabling landed proprietors to obtain advances which might be employed in improving the condition of their lands; thus effecting the double object of employing the people, and affording to a large number of them the means of subsistence, and of increasing the future productiveness of the soil, and its capability of providing for the wants of the people settled upon it. An Act, too, was passed last Session, making better and more ample provision for the permanent relief and support of the destitute poor of Ireland from resources drawn from the property of that country. I had ventured to hope that the calamity by which Ireland had been visited might not prove an unmingled evil, I had ventured to hope that, from the period of extreme distress which had passed over Ireland, a new era might have been dated; and that one result, at least, of that severe distress, and of the measures taken for its relief, would have have been to draw together, in bonds of mutual goodwill, founded, if upon no better motive, at least upon a sense of their common interest, the different classes of society. I did venture to hope that there would have been inculcated upon all the indispensable necessity of the mutual co-operation of all classes of society, each discharging those functions which Providence has assigned to it—and it is difficult to say which are the most important, the duties attaching to the highest or to the lowest grades of society—in promoting the peace, order, industry, and prosperity of their common country, and in developing those resources which that country undoubtedly possesses, but which have been hitherto rendered in a great measure fruitless and unavailing, owing to the unhappy divisions, political and religious, which have prevailed—owing to the jealousies and mistrusts which have existed between different classes of society, which have been the fruitful source of crime and disorder, and have opposed almost insurmountable obstacles to every attempt which has been made permanently to improve the condition of the country. I am not yet prepared to abandon the hope that those expectations may be realised; for the case it will be my duty to lay before Parliament to-night will apply, I rejoice to say, to only a comparatively small portion of Ireland. I am glad to take this opportunity of repeating what I said on the first night of the Session, in answer to the hon. Member for Meath (Mr. Grattan), that in the greater part of Ireland crime has diminished; that I believe life and property are as safe in a great portion of that country as in any part of Her Majesty's dominions; and that the crimes which have stained and disgraced some districts, and which bring down shame upon Ireland, are held in detestation and abhorrence by the inhabitants of by far the greater portion of the country. I am happy to state that the general result of the tabular statistics of crime transmitted by the constabulary of Ireland shows that there has been a diminution of crime recently, compared with former periods, when the attention of the House has been directed to the affairs of that country. The aggregate offences of all kinds reported by the constabulary have considerably diminished. Taking even the month of October, during which the crimes to which I shall presently feel it my painful duty to allude more in detail, were perpetrated in rapid and frightful succession, the gross returns of the amount of crime for October, 1847, as compared with 1846, show a diminution of nearly one-third. The gross amount of crimes of all kinds—I allude to those crimes with which hon. Gentlemen are familiar, and which are enumerated in the constabulary reports—committed in October, 1847, was 1,035; while the gross number of crimes committed in October, 1846, amounted to 1,483. There has been a still more remarkable decrease since January last, for at that time crime had reached its maximum, and the number was 2,885, while in October, 1847 (as I have said), the number was 1,035. I wish, therefore, distinctly to state, that it is no general bill of indictment which I am about to prefer against the people of Ireland. I do not come here to use the language which

has been imputed to some one—I know not whom—by the hon. Member for Cork (Mr. Roche), when he said that the whole country had been stigmatised as a country of assassins. Any one who has the slightest knowledge of the existing state of things in that country would know that such an accusation was wholly groundless. But I am prepared to say that there are districts in Ireland in which there is an amount of crime, more dreadful from its concentration; in which, within the last few weeks, the records of crime have been of a frightful and appalling nature; in which there have been instances of assassination, apparently the results of a secret conspiracy against the rights of property, whether it be property held in small portions, or by individuals whose lands are to be counted by thousands of acres—a secret conspiracy which has led to men being doomed on account of their exercising, and in the fairest manner, the rights which are ordinarily held to be attached to property; and these crimes, concentrated as they have been in such narrow limits, have spread the utmost terror, consternation, and dismay among all the peaceable and orderly inhabitants of those districts. I think, then, that I have a right to call upon those Members for other parts of Ireland who feel that the character of their constituents may be affected by conclusions which may be formed in ignorance, and which, perhaps, will be formed in other countries to the general prejudice of Ireland, to come forward and lend their aid in arresting the hand of the assassin in those districts to which I refer, and giving that protection to life which peaceable and well-disposed subjects have a right to look for at the hands of the Government. I will only make one other observation on this point, with regard to the partial extent of these outrages—that the crime to which I shall have to advert has not developed itself in those parts of Ireland in which, as I regret to say, distress is still severe. My right hon. Friend the Secretary for Ireland stated this with great clearness on the first night of the Session; that there is not a shadow of pretext for these crimes—I do not say that there could be an excuse under any circumstances—but that there is not a shadow of pretence for the assertion that men are driven to desperation and madness by the pressure of want and distress. These crimes are committed in districts in which there is money to pay rent, and in which, when the strong arm of the law comes upon the defaulters, they are found to have the money, and when they see resistance to the law to be unavailing the money has been forthcoming; and there is no pretence for saying that there is any difficulty in meeting the demands made upon them, or that it is the attempt harshly to enforce those demands which drive men to the perpetration of these crimes. But I know I may be met by some hon. Members, even with reference to that part of Ireland to which the measure I shall have to propose will apply, by an objection which was hinted at on the first night of the Session, namely, that in proposing a Bill of this nature we are having recourse to the old, vulgar, oft-tried expedient of coercion, while we leave the causes of the evils from which these crimes arise untouched, and make no attempt to remove those causes. [Mr. F. O'Connor: Hear!] The hon. Member opposite cheers that expression; it will be for him by and by to show, if he can, that the measure which I am about to propose can justly be characterised as a needless and harsh measure of coercion: if not—if it is only a just measure for the prevention of crime—and if we are only asking for those powers which are essential for a Government to possess in order to the conduct of the affairs of the country—I shall claim his vote in favour of a step calculated to prevent the effusion of blood, shed by the hand of the ruthless and cowardly assassin, skulking behind a wall and endeavouring to take without a moment's warning the life of a man who is unconscious of being the object of any one's jealousy or hatred. With regard, however, to the objection which I have noticed, I am willing to say that I so far concur in it, that I do not pretend to propose this Bill as a cure for many of those evils which exist in Ireland. I think it would indicate a very shortsighted policy to imagine that the mere prevention of crime by police regulations or penal measures was the great object of legislation. It is necessary, when crime of a peculiar character is rife, that the law should be enforced, and that, if the law be inadequate to the protection of life, and the enforcement of those just rights which law has guaranteed to individuals, it should be so amended as to render it efficient for the purposes for which law is required; but, on the part of Her Majesty's Government, I disclaim at once any pretence that a Bill of this kind, limited as it will be in its duration, and partial in its character, can be

any panacea for the evils of Ireland, or that when we have passed it we have discharged the duty we owe to the inhabitants of that country. Far be from me any such idea! it is the duty of a wise Government, and of a wise Legislature, to look to the causes of evils, rather than to their symptoms. But I am not prepared to say that the symptoms are to be neglected, or that we are to wait for that slow curative process which may be effected by measures with regard to the law of landlord and tenant, the disposal of encumbered estates, the grand jury laws, or other subjects however important—I cannot hold, I say, that we are to disregard the symptoms of the disease while that slow curative process is in progress. I must also say, that I am not one of those who think that it is in the power of Parliament to do all that is attributed to it by some. I believe that Parliament may do much in the way of wise and judicious legislation; it may, and I trust it will, be able to establish a better system to govern the relation of landlord and tenant than that which now subsists; though I altogether disclaim any participation in the Utopian views of those who think it an easy thing to place this question by law on a footing which will obviate all disputes, or that we can grant perpetuity of tenure to a man and his descendants (as an hon. Member said the other night), though he is now tenant at will; and I also protest strongly against being supposed to concur in the significant expression which was used about "taking the idlers off the land." No, I cannot think that this House will ever sanction any system by which the rights of landlords shall be transferred to tenants, though I believe much may be done to place the relation between those two classes of society upon a better footing, and to remove some of those causes of heartburnings, and mistrust, and jealousies, and litigation, which have been the fertile sources of crime in many parts of Ireland. I believe, however, that the real cure of the state of society in Ireland is to be found in the faithful, zealous, efficient discharge of their duties by all classes of society, the humblest as well as the highest; and that the neglect by any class of those duties which Providence has assigned to it is sure to produce a derangement in the social system, and retard effectually any beneficial result from the wisest and most wholesome legislation. But, while we call upon Gentlemen connected with property in Ireland to discharge the duties attached to the possession of property—while we call upon the poor-law guardians to give their aid in carrying into effect the laws devised for the humane purpose of preventing destitution and affording relief to the poor—while we call upon all to co-operate with the Government by discharging the social duties which belong to their position, they have a right to call upon the Government, if they are willing to discharge those duties, for protection from the hand of the assassin, and for that security of life which will enable them to remain resident on their properties or in their respective districts, co-operating with the Government in carrying into effect those laws which may be passed by the Legislature for the common good of all. Having adverted to the general and satisfactory result of an investigation of the tables showing the aggregate offences of all kinds reported by the constabulary, and shown that they have considerably diminished, I proceed to lay before the House some statements with regard to four classes of crimes which, I regret to say, have within the last six months, in the aggregate, been very materially increased. I hold in my hand a comparison of the outrage returns for the six months ending October, 1847, compared with those of the same period in the year 1846, and they show the following results for the whole of Ireland :—

	1846.	1847.
Homicides	68	96
Attempts on life by firing at the person	55	126
Robberies of arms	207	530
Firing into dwellings	51	116

But even this would give a very inadequate idea of the fearful increase in these classes of crimes which has taken place in the districts of Ireland to which it will now be my duty to call the particular attention of the House. The whole of Ireland is not implicated in the shame and disgrace of the fearful increase in the aggregate of these serious offences, all of them affecting human life, and many of them involving the actual loss of life. I look at the police returns, and find that it was about the middle of September that these crimes began to increase, and since then they have advanced with frightful rapidity. It devolves upon me, from the position I hold, to receive the accounts of these outrages and of the barbarous acts committed; and painful and distressing as were the accounts last year that came in day by day of deaths

from severe destitution, which was pressing down the people and exhausting all the resources available for its mitigation, it has been infinitely more painful and distressing to receive these records of crime: the one was the act of Providence, and we trusted that Providence would aid our efforts to mitigate and remove the evil; but these are acts which show a depravity of heart, an absence of right principle, a want of all regard for the laws of God and man, from which one turns with a feeling of sickening disgust. The total number of homicides throughout Ireland in October was 19; firing at the person, 32; firing into dwellings, 26; robberies of arms, 118; total, 195. But, on examining the returns, I find that of these 195 crimes 139 were committed in Clare, Limerick, or Tipperary, being 71 per cent of the whole number, though the population of those three counties is only 13 per cent of the population of Ireland. Of the 19 homicides three were committed in Clare, two in Limerick, and five in Tipperary; of the 32 cases of firing at the person, nine were in Clare, five in Limerick, and six in Tipperary; of the 26 cases of firing into dwellings, one was in Clare, nine in Limerick, ten in Tipperary; and of the 118 robberies of arms, twenty were in Clare, 50 in Limerick, and 19 in Tipperary. The robberies of arms in these three counties are 75 per cent of all the robberies of arms in Ireland; in Limerick they are 42 per cent, with a population of only 4 per cent of the whole population of Ireland. It is chiefly to these counties of Clare, Limerick, and Tipperary, that the observations I shall have to make will apply; it is chiefly from these counties that the records of crime are taken, to some of which I shall have to call the attention of the House, though I am aware that the tendency of crime is to spread; and in King's County and Roscommon, and, I regret to say, the hitherto orderly county of Fermanagh, the peaceable residents and possessors of property have been struck with terror and dismay by the threats of similar outrages, and the impunity with which those threats are executed, or attempted to be executed. I shall begin about the middle of September; for it was about that period that these crimes assumed their present type and frequency, and became remarkable; and it will be seen in the cases I shall submit to the House, that they have not been directed against one class — the landlord class, as we are accustomed to speak of it here, as composed of gentlemen of property with large bodies of tenantry—but they have been directed in almost all instances against the class of landowners, and they arise either from motives of revenge, owing to persons having taken land from which others (sometimes three or four years before) were dispossessed, or to intimidate collectors of rent, and prevent its payment being enforced. The first case I shall mention, taking them in the order of date in which they have been reported, occurred in the county of Limerick on the 16th of September; it was the case of a small farmer, and the stipendiary magistrate reports:—

"Michael Connell, a tenant of Mr. Holland, and who lived on the townland of Showrath, in the parish of Mahoonagh, and barony of Glenquin, was shot dead on Thursday morning last, in a meadow, whilst attaching a rope to a haycock."

The man was in the discharge of his duties, having some small holding of his own, and was attending to his property; and the only reason assigned for this murder, committed in broad daylight, is, that there having been a distress on the estate, of which he was one of the tenants, but to which distress he was no party, the landlord returned this man some of his cattle which had been distrained; and for this he was singled out for assasination, and deliberately shot. To show the system of terror which prevails, I will just mention that there was a man employed in the same field, and not many yards off, who is not suspected of being a party to the murder; but he denied having heard the firing of the shot, or knowing anything of the matter, till his master, who was at some distance, came up and showed him that Connell was lying dead a few yards from him. I do not speak of that as a case of sympathy with the assassin. There is that sympathy, I am sorry to say, in some districts—I will not say universally, but generally; and, owing to that sympathy on the part of a large number in those districts, and of the terror excited by the determination with which these decrees are executed in others, it is extremely difficult to obtain information which it is the duty of all to render in aid of the discovery of offenders of this class; and much labour has been thrown upon the police, which they have discharged with greater success than might, under such circumstances, have been expected. The next case is one with which the same individual stands charged who is waiting his trial for

the murder of Connell, and on another charge besides of a similar nature. A sub-inspector of police in the county of Limerick reports on the 18th of September last:—

"I have to state, that on the evening of yesterday, the 19th instant, a few minutes before seven o'clock, as Michael Kelly was walking near his own house at Bunkey, in company with Edward Ryan, he perceived a man who lives within a few yards of him following him along the road, and on his coming up to him he discharged a loaded pistol at him and wounded him slightly in the back; the bullet, having gone in an oblique direction, was found in his coat. The assassin immediately ran off, and was followed by the police in a short time, but the night became so dark it was impossible to trace him. I have no doubt but he will be taken, as he is well known to the police in this and the neighbouring counties. The cause of his having committed this outrage was, that Kelly had lately taken a farm of which he was dispossessed."

In this instance the attempt at murder was happily unsuccessful; and the Government, affording that protection which they have done in numerous cases to persons they believed to be the objects of attack, afforded to Kelly a guard of police, who constantly watched his house to prevent any renewal of outrage. But within a week of this, another report was received from the sub-inspector of police, in which he said—

"I have to state, that on the evening of yesterday a man entered the house of John Kelly, of Knocksentry, and shot him through the heart in the presence of his family, Seven bullets passed through his body, and wounded a child named Michael Kelly, who was standing to the rear of him. There is no doubt but that the individual named in my report, dated from this place, and sent on the 18th, is the person who perpetrated the murder, in consequence of information having been sworn against him by Michael Kelly, a brother to deceased, for having, on the 19th, fired at him and wounded him in the back. Knowing that the man's object was to murder Michael Kelly, I had a constant watch kept on his house; and, finding that he could not succeed in murdering the person who had possession of his farm, he revenged himself on his brother. Every possible exertion has been used to arrest the man, since the 19th instant. Men have been, day and night, since then, searching for him; but he has so many relations in different parts of the country, that almost every person is endeavouring to protect him."

Yes, that is one of the most unfortunate and discouraging circumstances in the whole history of these cases. The ordinary character of these crimes is that of deliberate assassination, encouraged, I have no doubt, by the impunity—the immediate impunity—for I rejoice to say that measures have been taken to prevent ultimate impunity — the immediate impunity with which the assassin is almost sure he shall escape, because he knows that none but the police will move a hand to arrest him. Outrages may be committed in other countries: in this country we have occasionally accounts of fearful outrages; but, thank God, there is not a man who does not lend his assistance to arrest the offender. ["Hear, hear!"] My hon. Friend (Dr. Bowring) cheers me; and it reminds me of one instance, a few weeks ago, strikingly illustrative of this truth. He and his brother were passing along the road with a large sum of money for the payment of workmen, and, after a true Irish fashion, or rather, if some of my hon. Friends will allow me to say so, after the fashion of Clare, Limerick, and Tipperary, two men presented loaded horse-pistols at them, and threatened them with death if they refused to deliver up the money: there was no resisting an appeal of that kind; my hon. Friend immediately held out the 1,000*l.*, and directly they had obtained the money, one of the men, that there might be no mistake about the pistols being loaded, or to stop immediate pursuit, shot the horse dead upon the spot. But what was the result? One of the gentlemen, procuring a horse from a neighbouring cottage, galloped to the police station. My hon. Friend, relying on the well-known disposition of the people of England and Wales, made known the outrage as widely as he could; the whole population was on foot, the escape of the criminals was impossible, and, before midnight, they were secured. Would that the same spirit existed in Ireland—would that the people there were as prompt to display a willingness to aid in the detection and apprehension of offenders as were the people of Wales! One object we have, and which we hope to effect by the Bill I am about to introduce, is at least to impress it upon the minds of the people of Ireland, that it is their duty to render every assistance in their power to pursue the perpetrators of crime, and secure their apprehension, and, when apprehended, to contribute their help in the thorough investigation of the offence. This, I hope, we shall succeed in effecting by making any refusal on their parts, either by silence or by intentional absence, when called upon to render that assistance, punishable by law. I am afraid I am wearying the House with going through these cases, because, unhappily, we are all

already too familiar with them through the ordinary channels of intelligence. Still it is part of my painful duty to show the House the extensive nature of the crimes which it is the object of us all to suppress and punish. The next case to which I shall refer is that of the murder of Mr. Roe, who was in the commission of the peace for the county of Tipperary. The report states, that on the 2nd of October, about eleven o'clock A.M. (and here let me particularly observe that the crime was not committed at night, but, as in many other instances, in broad daylight; not in a desolate place, but in a place where there were inhabited houses within sight of the assassin)—the report says—

"About eleven o'clock A.M., W. Roe, esq., justice of the peace, Rockwell, was fired at from a plantation, and shot dead on the high road, when walking from his own place to the house of Mr. George Roe, his agent. On hearing of the occurrence, I immediately hastened to the scene, accompanied by Mr. Ffrench, resident magistrate, where an active and diligent inquiry was carried on until seven o'clock this evening. I am glad to be able to say that we have reason to hope that the guilty parties will be discovered."

(I regret to say that hope has not been realised.)

"October 4.—Mr. Ffrench, resident magistrate, reports that the person by whom there is every reason to believe the shot was fired, has fled. His description has been sent for insertion in the *Hue and Cry*. Within the last five weeks he had been ejected by Mr. Roe, and had since been living within 100 yards of the spot where the murder was committed."

I fear there is much reason to suspect that this person is protected by persons who ought, for their own sakes, to lend their aid to discover the offender and bring him to justice. It is not stated in the police report, but I have been informed that the party suspected of having committed this crime was formerly a tenant of Mr. Roe, and that he owed several years' rent to that gentleman, but he refused to pay a single farthing, although only one year's rent was demanded of him. He, however, was determined to hold the land in defiance of the landlord, without paying rent, although nothing was alleged to show his inability to pay it. A writ of ejectment was then enforced, and the result was that the landlord was shot within a few yards of his own house. The next case was that of John M'Enery:—

"Limerick, Oct. 4.—John M'Enery died from the effects of a gunshot wound inflicted by an armed party who attacked his house."

Then in Tipperary (October 8), Timothy Hanly, woodranger to the Hon. Mrs. Otway Cave, was shot dead through his bedroom window, by some person unknown. The next case is that of Peter Nash, in the county of Limerick. The report says—

"I have to state that, on yesterday evening (11th of October), a few minutes after six o'clock, Peter Nash, of Garden-hill, was returning from a bog, about a quarter of a mile from his house, when, passing through a narrow lane (in company with two men named Meehan, connexions of his own), he was fired at and shot in the back. I was on the spot before he was removed to his house, where he expired in about an hour and a half after he was fired at. In answer to questions put him by me, he denied knowing who fired at him, as also the two men who were with him; they were examined by Mr. Tracy, resident magistrate, who was at the scene of occurrence last night, and they distinctly state that they did not see any person, having run off the moment Nash was shot."

Then comes the case of the murder of Mr. Lucas, in King's County. The report states—

"I have to report that about the hour of nine o'clock on the night of the 18th inst. (October), as Mr. William Lucas, of Brusna, was returning from the house of his ploughman, which is situated within about thirty yards from his own house, and about the same distance from the police-barracks at Brusna, he was fired at from behind the wall of the road by some assassin, as yet unknown, and mortally wounded in the left temple and breast with slugs, from the effects of which he died in about half an hour. The deceased was walking by the side of sub-constable John Green (one of two protective police who are stationed at his house) when the shot was fired, and the sub-constable immediately ran to the barracks to turn out the party, and in about half a minute they were on the spot, and, dividing themselves through the fields, made every effort to discover the assassin, but, I regret to say, as yet without effect. The motive assigned, and which there can be no doubt of, is in consequence of the deceased having recently ejected twelve or fourteen refractory tenants from off the lands of Scorduff, in this district, for non-payment of rent, and which was the sole cause of this murder."

Another case occurred in Clare, where a gentleman of the name of Read was returning from a friend's, where he had been spending the evening. He was fired at, and received a gunshot in the back and neck, and several gunshots passed through his hat.

"Tipperary, Oct. 24.—Patrick Ryan, steward to Mr. Kellett, of Clonacody, was shot dead by a person unknown, on his way home in company with Michael Cummins, who was also wounded at the same time."

The next case is the murder of Michael Walsh, in the county of Clare. The report states—

"I have to report that, on this morning (Oct. 30), about half-past 7 o'clock, or near it, as Michael

Walsh, of Ballynatwich, steward to Charles O'Callaghan, esq., Dragoon Guards, and of Ballynabuck, was proceeding to Ennis to pay money to Mr. O'Callaghan's agent, he was fired at from one of the Maryfort plantations on the roadside, and shot through the head with a ball, and instantly killed; two shots were heard by several persons in the neighbourhood, but the persons who committed the murder were not seen by the persons who came up almost immediately; the second shot wounded him in the hand. He was riding at the time, and had a sum of money on his person, which was taken by the murderer—the amount of which cannot as yet be ascertained, but it was over 17*l*. Michael Walsh was acting as steward and driver on the estate at the time the late Mr. Carrig was shot; and shortly after gave up the collection of the rent, but retained his situation as steward, and in charge of the domain. He occupied some lands from which some tenants were dispossessed by ejectment about three years since; his arms were taken from his house, as reported on the 15th of June, 1845, and for some months after Mr. Carrig's murder we gave him police protection by patrol, &c., as I then considered his life in danger."

The next case in order to which I must refer in this melancholy catalogue of crime is the murder of Major Mahon, in the county of Roscommon, the only case (with one exception) which is drawn from that county; but I regret to say, what I believe will be confirmed by Gentlemen connected with that county, that owing to the perpetration of this crime, and to similar crimes in the adjoining counties, to the murderous spirit in which they have been perpetrated, and the threats that have been received by several other landlords that a similar fate was destined for them, a feeling of terror and dismay prevails throughout the county, and no one possessed of property feels his life in that district secure. The police report states that—

"This evening (Nov. 2), about the hour of 6 o'clock, as Major Mahon was returning from a meeting of the board of guardians at Roscommon, and travelling in an open carriage, in company with Dr. Terence Shanley, he was met on the high road by two armed men, fired at, and shot. He was wounded in the breast and stomach with shot."

The report from the county inspector states—

"Referring to Sub-Inspector Blakeney's report of the melancholy murder of Major Denis Mahon, of Strokestown-house, forwarded yesterday evening, I beg to state that I proceeded here to attend the inquiry into the occurrence, and assist in endeavouring to discover the assassins; and during the investigation, which is at this moment going on, it appeared that there were two strangers, and suspicious-looking characters (whose descriptions are herewith sent), seen lurking about the spot where he was murdered on the day of the occurrence, and who are suspected to have been the persons who committed the act."

The sub-inspector further reports—

"I visited the scene of the occurrence at 7 o'clock A.M. yesterday, and also at 3 o'clock in the afternoon, accompanied by Edmund Blake, esq., resident magistrate, and a party of military and constabulary, and arrested several persons residing in the immediate locality, for the purpose of having them examined before the high sheriff, Lord Crofton, D. H. Kelly, deputy-lieutenant, Owen Lloyd, and John Devenish, esqs., magistrates, who were then assembled in this town, to inquire into the occurrence, and who again met on this day for the same purpose, with the addition of Messrs. Derinzy and Birmingham, resident magistrates. The investigation is still being proceeded with; but I regret to say that up to this moment (half-past 5 P.M.) no clue has been obtained to the discovery of the assassins. I think it right to observe that last night lights were exhibited through part of the country, seemingly in exultation at this melancholy event."

I will also read an account of the proceedings of the vice-lieutenant and the justices of Roscommon; with reference to this case:—

"Strokestown, Nov. 5.

"We, the undersigned, the vice-lieutenant and justices of the county of Roscommon, who have been for the last few days engaged in the melancholy duty of investigating into the circumstances connected with the barbarous assassination of the late Major Denis Mahon, at Doorty, in this county, on the 2nd of November inst, beg to state, that it has appeared clearly before us, that there were two persons engaged in the perpetration of this crime, one of whom fired the fatal shot, whilst the gun of the other burned priming. From the conduct of all the parties from the vicinity brought before us, and their uniform denial of circumstances which must have been within their knowledge, we can have no doubt that an extensive and deep-laid conspiracy existed against this gentleman's life. The information we have received leads us to believe that a general resistance against rents and the legal exercise of the rights of property is in existence and likely to extend; and these circumstances place more than ordinary difficulties in the way of justice. We have heard that bonfires, manifesting a very bad disposition among the peasantry of the neighbourhood, have been lighted since the murders, and that very considerable excitement prevails. That, from every inquiry we have made, it seems that this lamented gentleman had to deal with a pauper tenantry, owing from three to four years' arrear of rent, unable to till the land, and unable and unwilling to pay anything for it; that he was thus obliged to dispossess them or abandon his property altogether, whilst in so doing no unnecessary harshness has been used, and very large sums have been expended in giving compensation and sending them to America; and in proof of the benevolence of his disposition, it was his anxiety to obtain the means of keeping open the fever hospital in this town, and preventing the poorhouse in Roscommon from being closed, that brought him to that town on the morning of the day of his murder. In conclusion, we beg to thank the Government for their prompt offer of every aid in their power, and we beg to assure them that our

utmost exertions shall be used to further the ends of justice."

I have thought it right, although I am persuaded that there is no Gentleman in this House—no man of right feeling either in the House or out of it—who will for a moment contend that there is the slightest extenuation of the crime to be discovered in the conduct of Major Mahon towards his tenants; yet, because it has been alleged that Major Mahon was a harsh landlord, and had proceeded against his tenants with a severity which he was not justified in adopting, I have thought it right to obtain all the information that could be furnished to me on the subject. No one, I say, could contend that even had Major Mahon been a harsh and severe landlord, it would be any extenuation of the crime which had been committed; still it was alleged that his conduct had been such as rendered him an object of just dislike to those who lived on his estates. Now I hold in my hand a statement, not from the police, and for the accuracy of which I cannot vouch excepting as knowing the parties from whom it comes; but I will not at the present moment read it to the House, because if any charge of the kind I have mentioned should hereafter be preferred, and the question should be inquired into, then in justice to Major Mahon and his friends it will be right to show the manner in which he had managed his property. This fact is admitted, that he spent 6,000*l.* within the last two years for the purpose of providing means to enable several hundred poor people to emigrate to America. In giving this assistance, he made proper provision for the comforts of the emigrants on board fully equal to that which was required by the Government to be provided by emigration ships. There was not the slightest reason to suppose that the least dissatisfaction existed among the parties so sent out; on the contrary they expressed at the time their gratitude for what he had done for them. It is true that it was stated on the first night of the Session, that one of the ships, on board of which several of those emigrants had embarked, was unfortunately lost; and it was suggested that on that account Major Mahon became an object of dislike to the kindred and friends of the sufferers, which ultimately terminated in his barbarous murder. We must all remember, that during the stormy months of last winter several ships were lost. One, I believe, was lost on the coast of Ireland, and another among the Western Isles of Scotland; but there was not the slightest pretence for saying that the parties sending out those ships had been negligent of their duty, or had failed to make every provision for the safety of the emigrants. I will not insult the understanding of the House by supposing that an imputation of such a nature could make any impression on their minds, or that there could by possibility exist any motive in the mind of Major Mahon for wishing that the parties for whose emigration he had incurred so heavy an expenditure should not arrive safely at their place of destination, and become useful and valuable members of the community to which they were sent. I shall say no more on this point. I am fully aware there will be no excuse even attempted to be made for assassination; but if, incidentally, the character and conduct of Major Mahon should come under discussion, it will then be the time to refer to the papers which are in my hand; and if I now abstain from reading them, do not let it be inferred that it is from any desire to avoid the question, but because I feel I should be wasting the time of the House, and improperly diverting its attention from the statement it is my duty to make. The next case is one of a different character. It is not a case in which assassination was the object, but a robbery of arms; a very daring act, and one which was successfully attempted:—

"Mr. James Meade had a shooting party at his house at Ballyagna, in the county of Limerick. There were five gentlemen and three servants in the house. Having been shooting during the day (November 3), they at ten o'clock retired to bed. The house is cottage like, and has no upstairs. The two Mr. Keanes and Mr. Meade slept together in one room, Mr. Darcy and Mr. Nicholas Meade slept in an opposite room. At 7 A.M., on the 4th of November, an armed party (seven in number) attacked the house and stole three double-barrelled guns. The guns were in the room in which Mr. Darcy and Mr. Nicholas Meade slept; they were all loaded and capped. Three servant men slept in the kitchen. One of them, Pat Healey, got up at 7 o'clock, A.M., and was half dressed, when he opened the kitchen-door for the purpose of admitting light to dress by, as the shutter was up to the window; the moment he opened the door seven armed men, with blackened faces, rushed in; one of them remained in the kitchen as guard over the servants, the other six rushed into the hall, and divided themselves, three into one room and three into the other. The two Mr. Keanes and Mr. Meade, in one of the rooms, were prevented from leaving their bed, as the men were in before they heard any noise, and they presented arms at them and prevented their stirring. Mr. Darcy and Mr. Meade, who slept in the opposite room, were up before the Whiteboys entered. Mr. Darcy seized

a gun and snapped at the first man who entered, but unfortunately missed fire; the other fired at him, and lodged a ball in the wall behind him, a few inches over his shoulder. Darcy snapped a second barrel, but again missed fire. He then threw down the gun and grappled with the man; he succeeded in putting him on his back, and was in the act of looking round the room for something to strike him with, when he received a blow of a blunderbuss across the forehead, which knocked him down and stunned him. They then threw a coat over his eyes, and beat him most cruelly. Mr. Meade, his companion, also snapped and twice missed fire at the ruffians; he also grappled with some of them in the hall, and had his skull fractured from blows he received on the head; he also received two slugs in the thigh, and is dangerously ill."

It is a remarkable thing that all the four barrels should miss fire. It is a fact which may perhaps afford a clue to the detection of the offenders, as there is too much reason to suppose that there were other parties concerned who had access to those guns. A very gallant defence was made by the gentlemen; but from the unfortunate circumstances in which, no doubt by treachery, they were placed, they were obliged to surrender their guns. The next case was that of wounding constable S. Dobbyn, on the 5th of November, in King's County. The report states—

"About three o'clock, P.M., on the 5th inst., as Mr. G. Garvey, justice of the peace, of Thornvale, was returning from attending the petty sessions of Moneygall, he called at the police barracks there, and was accompanied by constable Stephen Dobbyn, of that post, and a bailiff, named Mara, in the employment of Mr. Garvey; and when proceeding to his residence of Thornvale, along the public road, they had gone about a quarter of a mile from the village, when the constable's attention (who was a little in advance of Mr. Garvey and the bailiff) was attracted to two men whom he observed inside the ditch of the road in a plantation. The constable immediately went forward and challenged, and, when in the act of attempting to pass through the hedge, two shots were immediately discharged at him, which severely wounded him on the left arm; five balls having passed through it above the wrist, with three flesh wounds near the shoulder, three across the chest, one through the right thigh, and one in the second finger of the right hand. The jacket which he wore at the time was much shattered and torn with balls; in fact, his escape from immediate death was most providential. There can be no doubt but that the assassins were there lying in wait for the purpose of taking the life of Mr. Garvey on his return from petty sessions, and who narrowly escaped on that occasion, as he was quite close to the constable when he fell, whose courage and determination in facing the party saved the lives of Mr. Garvey and his bailiff. In a few minutes after the perpetration of the outrage, the police of the Moneygall post were on the spot, and scoured the surrounding country, which is thickly wooded, and I regret to say could find no trace of the assassins, save a pistol, which was found by one of the police convenient to the place where the party were in ambush. I have remained at the scene of outrage, making every possible inquiry, and trust I shall ultimately succeed in tracing them out."

The next case is that of Patrick Cleary, and I mention it in order to show that the victims of vengeance are not always men of high station, but that the assassins pick out the object of their murderous attacks sometimes from persons in a high station of life, and sometimes from persons of humble station:—

"Patrick Cleary, a smith, of the city of Limerick, was attacked by three men at Gurtuaghough, one of whom fired a pistol at him and fatally wounded him—he supposed because he had prosecuted Tipperary men for swearing him to leave his residence. The man who fired the shot and another have been arrested and committed. Cleary died on the 21st inst. in the hospital."

The next is a case of deliberate assassination, although not premeditated. It shows the recklessness of human life, and with what facility these persons commit deliberate murder if it become necessary for their purposes to carry their object into effect. The report states that—

"On the 7th of November five armed men entered the dwelling of Daniel Hardinge, at Loughourna, county of Tipperary, and demanded his gun. While searching for it, Edward Devitt, a near neighbour, came running to the house, when the depredator stationed at the door fired on him, and mortally wounded him. He died on the 9th. None of the party are known."

I have here a number of cases in which armed men are found going about the country, visiting houses, and firing shots into them, utterly reckless whether they are fatal or not, with a view of enforcing a system of terror and intimidation, in order that their objects may be attained, and that all legal exertions to arrest their career may be defeated. But with more cases of that character I will not trouble the House. The next case is one of a peculiarly atrocious nature. A man of the name of Ryan appears to have been the object of a murderous attack in the county of Limerick; and the life of an unoffending woman was barbarously taken:—

"Nov. 14, 1847.

"On the 12th inst. two armed men entered the house of John Tucker, of Tamana, about 7 P.M. In this house John Ryan, a bailiff, who has recently served latitats for rent due to the Rev. Mr. Delmage, also resides. Some slight resistance having been manifested, these men fired on the inmates, who were assembled round the fire, and shot Mrs. Ryan dead, and wounded Mrs. Tucker. Their intention, no doubt, was to have murdered Ryan.

"The victim of this barbarity was a most ex-

emplary young woman in her rank of life; and still I have not been able to discover the slightest indication amongst her neighbours of horror or sympathy at her wretched fate."

"Nov. 19, 1847.

"At the inquest on Mrs. Ryan, the bailiff's wife, who was murdered on the 12th inst., it appears that the agent of Sir W. Barrington and Mr. Delmage has always acted in the most indulgent manner. The tenants have been in many cases five or six years in arrear, and, having now been proceeded against for one year's rent, the result was this murder."

I must now call the attention of the House to the murder of Mr. Hassard, in Fermanagh, on the 13th of November:—

"I have to state," says the report, "that yesterday evening, about the hour of half-past 5 o'clock, as William Hassard, Esq., of Gardenhill, treasurer of this county, was returning home from Enniskillen, alone, on his outside car, he was feloniously fired at by some persons to him unknown, from a plantation in his own demesne, about half a mile from his house, and dangerously wounded in the lower part of the right thigh with slugs and sparables, from the effects of which he now lies in a very precarious state. Immediately on hearing of the occurrence, I proceeded to Gardenhill with the men of this station, where I was joined by the county inspector, W. Foot, Esq., B. H. Holmes, Esq., resident magistrate, three other magistrates, and sub-inspector Watkins, with ten men from Enniskillen, when two persons were arrested under very suspicious circumstances, and committed to gaol for further examination. No cause can be assigned for this outrage, and the magistrates are of opinion that a public reward of 100*l.* should be offered."

This occurred in a county which I before said has not heretofore been characterised by outrages and crimes of such a nature. Mr. Hassard died shortly after of the injuries he had received, and a meeting of the magistracy was convened by the Lord Lieutenant of the county, and took place in the court-house on the 23rd of November. The meeting was numerously attended, and the following resolutions were agreed to by the magistrates:—

"That this meeting views with horror and detestation the recent barbarous murder of the late William Hassard, Esq., the county treasurer, whose uniform uprightness of character, gentleness of manner, and charitable disposition, should have shielded him from the malevolence of the most ruthless assassin; and this meeting deeply deplores that an act of such atrocity should have been committed in a county hitherto so conspicuous for peace and good order.

"That this meeting do conceive the law at present in force to be totally inadequate to prevent the recurrence of the most atrocious crimes, or to bring the perpetrators to conviction; and, from the numerous instances of almost daily murders which are committed in other counties of Ireland with impunity, they cannot but feel apprehensive that similar lawless proceedings may be enacted in this county, unless determined measures be at once adopted by Her Majesty's Government to meet the emergency."

I venture to assert, that the apprehensions expressed by the magistrates of Fermanagh are not groundless; for when crimes of such an appalling character as those which it has been my painful duty to detail to the House are committed unchecked, and without the detection of their perpetrators, the disposition to commit similar crimes rapidly spreads, and many gentlemen residing in parts of the country in which such offences have not usually been committed have received threatening notices that they will be selected as objects of assassination. At their meeting the magistrates of Fermanagh pledged themselves, as I rejoice to say the magistrates of other districts in which the most atrocious murders have been committed have done, to co-operate in their respective districts, and adopt all means in their power to bring offenders to justice. Under these circumstances, I think it is due to the magistrates of Fermanagh to lay before the House the view which they entertain of the remedy that ought to be applied to the state of things of which they so justly complain. They say—

"That, while this meeting entirely disapproved of the late Arms Act as having proved mischievous and totally inadequate to carry out the purposes for which it was passed, they more strongly condemn the unrestricted permission at present granted to the peasantry to possess arms, and respectfully call the attention of Her Majesty's Government to the necessity that exists for an enactment to restrict the possession of firearms to such persons only as by the test of their poor-law rating may be considered elegible to be licensed to possess such. And also to prevent the sale of arms and gunpowder to any individual unless qualified by the possession of a license to make such purchase."

The magistrates next advert to the measures adopted by the Lord Lieutenant in the case of the murder of Mr. Roe:—

"That this meeting considers the measures adopted by his Excellency after the murder of Mr. Roe, proving as they do his Excellency's determination to preserve the peace of the country, to be well calculated to check agrarian outrage; and they confidently hope that his Excellency will receive the utmost support of Her Majesty's Government."

I come now to a case which was referred to the other night by the hon. Member for Northamptonshire (Mr. Stafford). The case is thus described in the police return:—

"Nenagh, November 14, 1847.

"It is my painful duty to report another dreadful crime, to add to the fearful catalogue so re-

cently recorded in this district. Last evening, about half-past five o'clock, Mr. Richard Bayley (one of the most valuable and influential, and, I believe, the most esteemed and popular resident gentleman of the north riding of this county) left Nenagh accompanied by his brother-in-law, Mr. Michael Head. On their return to Mr. Bayley's residence, about three miles from Nenagh, they had proceeded about two miles, when they were fired at from behind a wall which fenced the left of the road. The shot took effect, entering under Mr. Bayley's left ear, at the angle of the left jaw, which is shattered in pieces, and all the teeth on that side knocked out. I proceeded to Ballinaclough, taking two surgeons, immediately on hearing of the occurrence, and remained until I could ascertain the opinion of the surgeons, which, I grieve to say, is very unfavourable as to any hope of Mr. Bayley's life. An express was at once sent off to Dublin for the Surgeon General. Mr. Head was also slightly wounded in the head. I need make no comment on this outrage; it is but another illustration of the fact, which every information we can obtain confirms, that there exists a secret and diabolical conspiracy against life and property. To demand the payment of rent, to take legal proceedings for the payment of arrears, is to incur a sentence of death, passed in deliberate convention. I could name several gentlemen who, I am informed, are already doomed victims of this fearful combination. No means within the ordinary course of the law are efficient against such a system of assassination."

Extract from constabulary report, November 16:—

"From the police report of the firing at Mr. Bayley, it appears that he had recently ejected a tenant of his brother's, who would neither till his land nor pay rent; that most liberal terms were offered to this man, but that he would not accept anything but a restoration of part of his farm, which was refused."

The next case to which I must refer also occurred in Tipperary, to a man in the lower ranks of life named Quin:—

"Nenagh Barracks, November 19, 1847.

"This neighbourhood continues in the same disturbed and unsettled state; scarcely a day or night passes without some outrage or other act of violence prevailing. On the evening of the 16th instant, at seven o'clock, not more than two miles from this town, two men unknown, with blackened faces, entered the house of Thomas Quin, whilst himself and family were at supper; one of them fired a shot at Quin, which fortunately missed him, but struck the candle close to him; the villains then went away. The cause assigned is Quin having paid rent to his landlord."

The next case is a very shocking one; it occurred in King's County:—

"A party of fourteen or fifteen men attacked the house of Patrick Larkin on the night of the 17th, at Newtown, with the view of shooting his daughter, the widow M'Neal, who occupies a farm which her husband's brother endeavoured to turn her out of in vain. Larkin and son having resisted, the assailants fired, and wounded them both. Larkin fell covered with blood, when the miscreants fled, thinking they had killed him."

Let us hope, for the sake of human nature, that the motives supposed to have led to the commission of this crime may not have occasioned it. On the 17th of November a murder was committed near the city of Limerick, and two other persons at the same time wounded, one of them dangerously. These are the facts of this case:—

"Limerick, Nov. 19, 1847.

"I have to state that about 8 o'clock yesterday morning as Ralph Hill, under-agent to Mr. David Fitzgerald, was proceeding to the lands of Raton, and within one mile and a half of this city, accompanied by four assistants and several carmen, he was fired at and shot dead; two of his assistants wounded, one of them dangerously. The party were about to remove some corn and hay sold on the previous day for rent and arrears due by a man named Quaine; the assassins fired from the haggard of Quaine, close to his dwelling-house. The daring atrocity of this murder is not surpassed by anything that has occurred even in this county. The place was actually within view of the new infantry and cavalry barracks. I have placed a large police force in the house of Quaine, and propose to leave them there until the corn, &c., are removed, and this it is intended to do to-morrow. The state of this county and the part of Clare adjoining the city of Limerick is most frightful and alarming."

After this dreadful murder had been committed, the Government received information that, owing to the sympathy with crime in the town, or to the terror inspired by its frequent commission, no carts could be obtained in that part of the country for conveying away the corn which had been seized. When this came to the knowledge of the Lord Lieutenant, he immediately issued orders that Ordnance carts should be supplied for the purpose of carrying away the property which had been seized, and that a sufficient military force should attend to cover the operation. In consequence of that decisive step being taken, not a hand was raised against the officers of the law engaged in the business. I am happy to say that the law was carried into execution with complete success and without the slightest obstruction. Examples of this nature will convince the misguided people that, in the long run, their object cannot succeed, and that, whatever immediate advantage they may in some instances obtain, by murders intended to deter persons from enforcing their rights, the system of terror and intimidation is sure, in the end, to be put down by the strong arm of the law. The constabulary report which I am about to read has so important a bearing upon the shocking murder of Mr. Hill, that I do not feel myself justified in withholding it from the House:—

"I beg leave to report that between the hours of nine o'clock P. M. on the 18th, and one o'clock A. M. on the 19th instant, during which time I was on patrol, I heard above forty shots fired in and about this village, and the portion of the counties of Clare and Limerick that comprises the sub-district. I also saw a large fire on the hill of Ballynivan, which lasted for a considerable time; I can ascribe it to nothing but rejoicing at the death of Mr. Hill, who was shot that morning in the county of Limerick. Mr. Hill was agent on the property of Ballynivan. On several occasions I have observed that when a murder is about being committed in any part of the counties of Clare, Limerick, and Tipperary, a greater number of shots than usual will be fired in this locality, and the fires are frequently kindled when an occurrence of the kind takes place."

Before proceeding further, I may take this opportunity of stating the course which the Lord Lieutenant pursued in connexion with the case of Mr. Roe, since it has been particularly referred to by the magistrates of Fermanagh in their resolutions. The representative of Mr. Roe applied to the Lord Lieutenant for a force to protect the agents of the law in the collection of the rents due to the estate. In answer to this appeal his Excellency sent a party of military and constabulary to protect the officers of the law; and when the people saw that the force was too powerful for them to resist, not a single head of cattle or sheaf of corn was sold, for the tenants distrained upon at once came forward and paid every farthing that was owing. The proceedings also produced its effect on the tenants of an adjoining property, who, anticipating that a similar process would be applied to them, voluntarily made a merit of necessity by coming forward and paying their rents. It was evident that in this case it was not poverty which prevented the tenants from paying their rents. They had the means of doing so, and instead of avoiding the obligation by the death of the landlord, they were compelled to pay the whole arrears due without any delay. I hoped to have been able to state that since the meeting of Parliament, on the 18th of November, no further outrages of an atrocious character had been committed in Ireland. It appeared that as soon as it became known that the Government intended to appeal to Parliament for increased power to enable them to prevent the frequent recurrence of crime, the well-disposed portion of the community took confidence, whilst the minds of evil-doers were alarmed. I hope that Parliament will not disappoint the expectations which have thus been raised. I perceived with satisfaction, the course taken on the first night of the Session. It is true that those Gentlemen who concurred in the Address in answer to the Speech from the Throne, did not thereby pledge themselves to support any measure which the Administration might propose respecting Ireland; but, nevertheless, I believe that the unanimity which was exhibited on that occasion has tended to increase confidence in the administration of the law in Ireland, and to excite a hope that the Legislature will not, by withholding additional power from the Executive, give an indirect encouragement to the perpetration of crimes of the most appalling character, which bring indelible disgrace on all concerned in their perpetration. I regret, however, to be obliged to state that I received this morning an account of an attempt to assassinate a poor-rate collector in the county of Roscommon. This is the statement sent to me:—

"As Mr. Kelly, a poor-rate collector, was returning from dinner at Woodpark, he was fired at at Braghbabazon; the slugs passed through his hat; this occurred about eleven o'clock on the 23rd inst. No motive assigned, save his having enforced the payment of poor-rates."

I remember that when the Irish poor-law was under discussion in this House, all parties agreed that its success would mainly depend upon the manner in which it should be administered in Ireland; and it was held that, if properly carried out, it must prove an inestimable boon to the people of that country. At that time we called upon the Irish gentlemen who were members of the boards of guardians to assist to their uttermost in the administrations of the poor-law—we called upon the poor-rate collectors, who had been charged with neglect of duty, to co-operate with the guardians, and collect the rates to the fullest extent; and I ask them is it to be tolerated that when one of those collectors, in obedience to our call, diligently and resolutely does his duty, he is to be subjected to an attack upon his life; that he is to be fired at because he attempts to carry out a law made with such a benevolent object? I think I have shown sufficiently the necessity for adopting a measure with a view to suppressing these crimes to which I have alluded. I have shown examples of this necessity by instances chiefly from Limerick and Tipperary, partly from Clare and the King's County, and in two instances, Fermanagh and Roscommon. I have shown the prevalence of crimes of a fearful and appalling character, and I have shown that these offences have, in nu-

merous cases, arisen from the reckless use of firearms: but other weapons are used beside firearms to carry into effect the unlawful object of the combinations from which these crimes emanate. I speak not of the axe or the stone: such weapons are not deemed necessary to be used in all cases. Threatening letters are sent, and lists made of those who are doomed, and these being followed up by the assassination of one or two of the persons on such lists, spreads terror and dismay among the rest; and if that course drives the others out of the country, or has the effect of preventing them from taking measures for the maintenance of their rights of property, then the objects of the combination are answered. I hold in my hand a letter addressed to a gentleman in the county of Londonderry, but which has a direct relation to the murder of Major Mahon, and to the county of Roscommon. The letter, which bears the Strokestown post-mark (Major Mahon's property) was addressed to Mrs. M'Causland, the wife of the cousin of Major Mahon, and it contained another letter, addressed to Mr. M'Causland:—

"County of Londonderry, Nov. 16.

"I have to report that a threatening letter of a very violent nature, with the Strokestown post-mark was received by Marcus M'Causland, Esq., justice of the peace and deputy-lieutenant, of Fruit-hill, near this town, by post on the 14th inst. Mr. M'Causland, who holds considerable property in Roscommon, was first cousin to Major Mahon, who was so recently murdered near Strokestown. What marks this case with a deeper degree of atrocity is the fact that the letter to Mr. M'Causland was enclosed in one addressed to Mrs. M'Causland, and was, consequently, opened by her, causing her deep distress and alarm. Copies of both letters are here transmitted:—

(Copy of a letter to Mrs. M'Causland.)

"'Madam—As a token of gratitude, I write to you these few lines, apprising you of your approaching fate. I am to inform you that, unless Mr. M'Causland becomes a better landlord in this country, he will share the same fate as the demon Major Mahon did; there are resolutions made in this country to take down all the tyrannising landlords; he, Mr. M'Causland, is numbered amongst them unless he changes, and give a full remittance of all the arrears that is due to him, and begin in the new with his tenants, as to think that he is far from the rath of this country it is useless, the Conought men are determined, and perhaps meet him in his own demesne; there is two men appointid for the expedition, they are to begin their journey on the 11th inst. I hope that you will not suffer yourself to be a widdow, the same as Mrs. Mahon. As to Ross Mahon, the cries of the starved and desolated have reached the Heavens, and, after shooting him, he is to be hanged and quartered, unless he quits Ireland; there is a fund at present in this country, the subscribers chiefly in America, for shooting oppressors. I take the liberty of informing you of the fate of the oppressors.' Addressed on the outside—'To Mrs. M'Causland, Fruit-hill, Newton Limavady post-office, County Londonderry.' Post-marks, Strokestown, Nov. 12, 1847; Longford, Nov. 12, 1847; Dublin, Nov. 13, 1847; Newtown Limavady, Nov. 24, 1847.

(Copy of letter to Mr. M'Causland, Roscommon.)

"'Honoured Sir—As a token of gratitude for a former kindness bestowed on me and my family, I write you these few lines apprising you of your approaching fate; unless you become a better man than what you are at present to your tenants, you will share the same fate as your kinsman the demon Major Mahon did. I am to inform you that there are resolutions made in this country to take down all tyrannising landlords. You are numbered amongst them, which I do sorely regret, unless you give a full remittance of the arrears and begin in new from the 1st of August last. As to think you are far away, their vengeance will overtake you; the Conought men are real determined. If you do not comply to this, fly to England on receipt of this until the times mends, as you may depend on it I would not give three farthings for your life before the 1st of December, if it was known I wrote you this I would share the same fate as is intended for you, so hold it to yourself. As to Ross Mahon, any part of Europe he goes he will fall if known where he is, there is a fund at present formed in this country for shooting oppressors, the subscribers chiefly American emigrants from this country, there is two men appointed for going to the northern country to you and a Mr. 'Dodulla,' county Cavan, they are to begin their journey the 11th inst., unless you change your way from oppression, take heed to the contints of this, if you make any effort to goodness you will often hear from me.—I remain, for your welfare,'" &c.

This is only one of a numerous class of cases. Letters of the same kind are constantly addressed to gentlemen in Ireland, in some cases under cover to their wives, in order that if the gentlemen themselves should disregard the threats contained in them, their wives may be kept in a state of constant anxiety and alarm for those most dear to them, and upon whose existence they are dependent for their happiness, comfort, and support. It is not surprising that, under such circumstances, gentlemen should—I will not say neglect, for that would be an improper term, but—be driven from the scene of duties which they are anxious to discharge, and compelled to seek refuge in Dublin or this country. With reference to the state of that part of the country, I should wish to read to the House a memorial addressed to the Lord Lieutenant from the magistrates who met at petty sessions at Nenagh after the murder of Mr. Bayley:—

"TO HIS EXCELLENCY THE EARL OF CLARENDON.

"We, the undersigned, magistrates usually attending the petty sessions of Nenagh, having as-

sembled to consider the recent dreadful attempt on the life of Mr. R. Bayley, deemed it our duty at this crisis to inform your Excellency, that, to such an extent has the lawless spirit of assassination advanced in this district, and so completely inadequate are the existing powers of the law to check this frightful system, that it is wholly out of our power to discharge with advantage to the public our very responsible duties as magistrates or as *ex-officio* poor-law guardians; and nothing but the respect we owe to Government and the laws of our country would withhold us from relinquishing duties which we feel we can only attempt to exercise at the imminent risk of our lives. We are fully convinced that a widely-spread, determined, and well-organised combination exists to overturn all laws, both human and divine, aimed principally at an invasion of the rights of property, as well as the maintenance of order. Every day's experience fully corroborates this position, and plainly manifests the existence of rapid progress, and, we may say, successful results of the system. We feel it our duty, and that a most melancholy one, to state, that by no exertion on our part as magistrates, landlords, or agents, do we feel ourselves able to grapple with this disorganised state of society, or to compete with this determined and increasing combination against all laws, order, life, and property; that the most humane discharge of duty, or lenient exercise of right, is equally fruitless and unavailing to protect property, or to ward off the blow of the assassin. We refer your Excellency to the recent reports of outrage and murder which have followed one another in such rapid succession. We are convinced, from private information recently obtained, showing the details and plans of the system, that other individuals have been marked as intended victims of this frightful code; for, besides the barbarous outrage committed on our valued, esteemed, and universally respected brother magistrate and friend, Mr. R. Bayley, we have undoubted authority for stating that several most respectable persons have been proscribed and marked out as the future victims of assassination. An increased military or police force of itself we consider to be quite ineffectual as a remedy to the present state of crime; and the facilities of obtaining, and consequent universal possession, of firearms, have placed the originators and perpetrators of this lawless combination in a position the more effectually to obtain their objects. Fully impressed with these opinions, we beg respectfully to assure your Excellency (should we be enabled to continue to reside in this country) of our cordial and strenuous exertions to aid the Executive to carry out and render efficient any measures which may be adopted to remedy these evils."

Such is the statement proceeding from six or seven magistrates, whose names are appended to the memorial, and who remain at their post, notwithstanding these circumstances, while they point out the causes of the evil, and implore the Government to adopt at least some measure calculated to put an end to this appalling state of things. It may be suggested, however, that these magistrates were acting under feelings of undue alarm. I therefore feel it my duty to call the attention of the House to a document received a few days ago from the Lord Lieutenant, contained in a letter addressed to him by Mr. Serjeant Howley, the assistant barrister of Tipperary, after returning from presiding at a recent quarter-sessions in that county. That learned gentleman says—

"I have now stated some of the cases which you will have to investigate at the present sessions; and, numerous as they are, and many of them very serious, it would still be satisfactory if they presented the full picture of the present condition of the country. It is truly alarming, and none but the disturbers are without apprehension and fear. All law appears to be pushed aside, and threatening notices and the arms of the assassin govern, control, and punish almost every exercise of right, of property, or of duty. Those whom the blow has not yet reached, know and feel, from the written threats they have received, that in their daily avocations they walk in the shadow of death. No courage, no precaution, no life, however blameless, no benevolence, however large and comprehensive, saves the victim from his doom; and, when the bloody deed is accomplished, it would appear as if the work of an invisible hand; for no trace is found, no information gleaned, no eye has seen the perpetrator of the crime."

What I have just read is an extract from the address of Mr. Serjeant Howley to the grand jurors of the county of Tipperary. The letter to which I have referred also says—

"The acquisition and possession of arms by persons of the worst character, was the subject of general remark and general reprobation; a general fear appears to pervade all; no person, if he could avoid it, would travel after nightfall. Some of the gentlemen summoned as grand jurors made private statements, which I had grounds for believing to be correct, that their lives would be in danger if they attempted to return home after the business of the day concluded, and earnestly sought exemption on this ground—they had received threatening notices."

In another part of the letter he says—

"But it is not alone over the better or wealthier classes that servile tyranny now prevails; the humble, the weak, the defenceless, are subjected alike to its relentless rule. Many examples of this come before me. I was sorry to observe, that the repeated acts of assassination and murder which are now occurring in Tipperary tend in some measure to insure the impunity of the perpetrators, not only by operating on the fears of the well-disposed, but in some degree by deadening the moral sense. There was a time when the felonious taking of human life was a saddening and painful surprise to those who heard it, shocking the feelings, rousing up the general indignation, and exciting an unusual activity to apprehend the criminal. I have latterly observed the accounts of the murder of the best men heard without much emotion, and referred to as topics of conversation without any strong movement of the feelings. The sensibilities of the heart which, under other circumstances, lessen the chances of

impunity to the offender, and are, in a well-regulated state of things, no mean assistance towards the prevention of greater offences, are in danger of being deadened into inactivity unless the progress of unpunished crime be speedily checked."

I will read another extract from his letter, in connexion with an extract from a police report of the murder of the man Hill, in Limerick, showing the obstacles and inconveniences which impede the administration of justice, owing to the possession of firearms by all classes of persons in those districts where the crimes of which I have been speaking are of such frequent occurrence. It is stated in one of these reports, though I cannot lay my hand on it at the present moment, that, in former times, when shots were heard in any locality, the attention of the police was attracted by them, and they turned out immediately, there being then some chance from their immediate presence on the ground of discovering the perpetrator of any crime that might have been committed with firearms. Now, however, owing to the indiscriminate possession of firearms, shots are fired at all hours of the day and night; and the report states that—

"The mere fact of a shot being fired, frequently within sight and hearing of the police station, consequently affords no information to the police, who would be running about all day, to the complete destruction of their efficiency, if they turned out on every occasion when they heard shots."

With reference to this subject, Mr. Serjeant Howley says—

"When I was lately in Tipperary, passing along the high road between Clonmel and Caher, at one o'clock in the day, that day Sunday, I observed a person, accompanied by two others, present a large horse-pistol across the road and fire. He then passed across to see the effect of his shot, and was reloading for another trial, just as I drove up opposite to where he stood. I must say, he obligingly allowed me to pass before he renewed his practice. Every half-hour shots may be heard in the fields, on the roads, in the streets of the towns, in the suburbs, and this by day and by night. Formerly, when the report of a gun was heard, it at once attracted the attention of the police, and was some warning, if at an unseasonable hour, that some act of violence or outrage was being committed. But the noise of firearme no longer gives any notice, or, at least, operates as such. The police would be constantly running backward and forward if they attended to every report of arms."

I have now laid before the House, I hope, sufficient evidence to show that, whatever may be the nature of the measure which we may propose, or which Parliament may think proper to sanction, there does exist within the limited area which I have described, a system of terror and violence by which individuals, in the discharge of their duties, whether cast upon them by property or by residence, are exposed to the constant danger of assassination; a system which, if unchanged, must lead to the dissolution of society, and present an insuperable barrier to improvements in the condition of the people. In every case which I have brought forward, and which constitutes a type of that long catalogue of crimes which have been committed — in every case the crime has been perpetrated by the means of firearms. Leaving, however, this part of the subject, I now proceed to another, which I think the House has a right to expect that I should not pass by—I mean the powers now possessed by Government for dealing with this state of crime; in other words, the actual state of the law, and the manner in which that law is administered. And I think I may appeal to every Gentleman conversant with Ireland, and who may have recently been in that country, to bear testimony to the vigour and efficiency with which the Lord Lieutenant has administered those powers which the law has given to him. It is gratifying to find, in the resolutions of the magistrates which I have already referred to — resolutions adopted under circumstances of unusual terror and dismay—that no charge is brought against the Executive Government, of having neglected any means which could be adopted for the enforcement of the law, or of showing the least degree of indifference towards the crimes which have been perpetrated. I may take credit at least for the vigour and efficiency of my noble Friend in discharging his functions for the repression of crime, the protection of life, and the encouragement of those—and I am glad to say that there are many such—who are disposed to co-operate with Government for the maintenance of order, and the repression of outrage. The Lord Lieutenant has made what use he was able of the military and police force at his disposal in all the cases in which, in his opinion, the appearance of an overwhelming force might overawe the offenders, or convince them of the fruitlessness of their attempts to gain the advantages they seek for from the commission of crime. I have adverted to the proceedings in the case of Mr. Roe, and also to those in the case of Mr. Hill, who was shot near Limerick, in both of which all the powers which could be exercised by the Lord Lieutenant were rigidly enforced. With the view,

however, of pointing out to the deluded perpetrators of these outrages, and all others who were aiding and abetting in keeping up that system of terror and intimidation now prevalent in certain parts of Ireland, the Lord Lieutenant has issued a proclamation which appears to me to comprise all that a document of that kind ought to contain. In that proclamation, the Lord Lieutenant, while sympathising with the sufferings of great bodies of the people, points out that the outrages do not generally occur in those districts in which the most severe destitution exists. He states that, although outrages have been committed under the pretext of severe distress, yet the night attacks in Limerick and Clare, and the assassinations in Tipperary, the King's County, and in Roscommon, have not been induced by want. His words are—

"His Excellency deeply deplores the destitute condition of a large number of the people; but, although outrages have been committed under the plea of distress, yet it is notorious that the robberies of arms and the night attacks so constantly occurring in the counties of Limerick and Clare, as well as the atrocious assassinations which have also disgraced Tipperary, King's County, and Roscommon, are not induced by the pressure of want, but are the acts of habitual disturbers of the public peace, who seek by the perpetration of such crimes to intimidate all other classes."

He then says—

"His Excellency is resolved by every means in his power to suppress the wicked spirit which now disturbs the public peace, and retards the social improvement and the prosperity of the country. The constabulary will be increased in all disturbed districts (whereby an additional burden will be thrown upon the rates), military detachments will be stationed wherever necessary, in aid of the civil authorities, and efficient patrols maintained."

And I may here state that the Commander of the Forces in Ireland and the head of the constabulary have established, as far as is at present practicable, a system of patrols.

"Liberal rewards will be given for information leading to the arrest of offenders, and ample protection to all who come forward and prosecute them; in short, no exertion shall be spared for rigorously enforcing the law against those by whom it is violated. The Lord Lieutenant, therefore, warns all who engage either in resistance to legal authority, or in attacks upon life and property, to abstain from such crimes, which will be followed by the severest punishment; he cautions the people not to join with the habitual perpetrators of outrage, nor to listen to the evil counsels of men who encourage opposition to the law for their own ends, and who will leave those they have deluded into crime to suffer its punishment; above all, he thinks it his duty to make known the penalties that will be incurred by accessories to crime, and that all persons are by law considered accessories who protect criminals against their pursuers, who afford them the means to escape, who aid in their disguise, who mislead those who may be in search of them, or who harbour offenders in their houses. The hand of every one should be against the perpetrator of crime; and the law will pursue with rigour, not alone the culprit himself, but sentence to transportation or imprisonment all who give him aid, shelter, or protection."

Perhaps I may here mention that a case recently came before the Court of Queen's Bench, in Ireland, which I refer to in connexion with the last paragraph of the proclamation, and the decision in which will, I trust, have no slight effect in enforcing the solemn warning of my noble Friend, and in leading the people to see that his are no unmeaning words: Two persons were charged with having harboured a man accused of atrocious crime. They were arrested; but unconscious, as it would appear, of the gravity of the offence which they had committed, they applied to be admitted to bail. The Chief Justice, in an elaborate judgment, pointed out the enormity of the offence, and the severity of the punishment which would await it, and refused to entertain the application for bail. I trust, Sir, this decision, coupled with the language of the proclamation, will have its effect in checking the sympathy which has been unhappily manifested with the perpetrators of crime in Ireland, and of preventing that aid and countenance being shown towards them which we have in too many instances had reason to regret. Allusion was made the other night to a special commission. Now, I am not in a position to state that a special commission has issued for the trial of offences; but let me remind the House that the cases which would be tried at it have all occurred within the last few weeks. The first case in the sad catalogue which I read, occurred little more than two months ago. Since that time every exertion of the Executive Government has been made to detect the offenders—to trace them to their hiding-places; and notwithstanding the many difficulties and obstacles which have been thrown in the way, I rejoice to say, although some of the perpetrators of those outrages are still at large, and no clue has yet been obtained to their lurking-places, yet that several of the perpetrators of the most daring crimes have been apprehended, and will no doubt be brought to justice. With respect, however, to a special commission, the Lord Lieutenant has stated his intention of issuing such a commission the moment

that the Attorney General informs him—as I trust he will very shortly—that there are a sufficient number of cases which can be submitted to a jury with sufficient evidence to justify such a step. This induces me to refer to one circumstance with reference to the state of Ireland, as it respects crime, namely, that I have no fact to lay before the House—and I rejoice that I have none—showing that juries are disposed to shrink from their duty. I do not venture to anticipate what may be the conduct of the juries in those cases in which parties will be brought to trial for the crimes which have lately been perpetrated. We can only judge of the future by the past, and I rejoice that up to the last quarter-sessions the parties who are charged with the conduct of criminal prosecutions have not reported that they were dissatisfied with the results. I therefore do not ask the House to change the ordinary tribunals, trusting that the ordinary course of the law will be sufficient to bring offenders to a prompt trial and speedy punishment. In the meantime, however, some measures are essential to check the repeated commission of these crimes. Persons are seen going about by day and night with guns loaded. An officer lately sent me some shot of the same size and description as those with which Mr. Roe was killed. It appears that the parties load their weapons with a bullet and twelve or thirteen swan-shot, and, practising as they do at a mark, it is hardly possible that the shot so fired can fail of effect. By the last Constabulary Act, passed a year and a half ago, the Lord Lieutenant has the power of proclaiming certain districts as being in a state of disturbance; a condition to which I beg the attention of the House, as there are other Acts called the Whiteboy Acts, which contain severe penalties against the same character of crime as that which is now being committed in some parts of Ireland out of the counties specially marked by agrarian disturbance, as in Fermanagh and other places, which cannot be called technically in a state of disturbance, because the general state of the district is not that which is described in the preamble of the Whiteboy Acts. In such districts the penalties of these Acts might therefore not apply. When the Constabulary Act was passed, we did not anticipate the frequency of this crime of secret assassination, and therefore powers were not given to meet these cases. The only power given to the Lord Lieutenant is confined to disturbed districts. That power might undoubtedly be exercised as regards Limerick, Tipperary, and Roscommon, and I might almost say the whole—certainly a part—of Clare, and possibly in some other districts. By that Act a power was conferred upon the Lord Lieutenant of sending into any district so proclaimed to be in a state of disturbance a limited number of police, in addition to the ordinary number of the constabulary of the county, and of charging the expense of that additional police on the county—that expense being collected at a distant period as part of the county cess, to be raised by means of a grand jury presentment. The Lord Lieutenant has felt that the mere exercise of that power now, without any other result than an increase of the police in those districts in which these crimes are committed, and which could be effected without it to a certain extent, was not desirable. He felt it was more prudent not to proclaim those districts to be in a state of disturbance when he was unable to exercise any other power than that of sending into those districts a small body of police to augment the constabulary of the county. The whole reserved force which the Lord Lieutenant is able to maintain in Dublin, in addition to the ordinary constabulary force required in the counties in Ireland, is 400. It was originally proposed by the Constabulary Bill that of that 400 the Lord Lieutenant might send out any portion to meet an extreme case; but considerable objection was raised in this House to that power, chiefly owing, I believe, to the charge that might be imposed on a county by the will of the Lord Lieutenant in cases which might require an augmentation of the constabulary force; and an Amendment was made in the Bill, by which the power of the Lord Lieutenant was restricted to sending 100 to any disturbed district. I have now to state that the Lord Lieutenant having, as I said before, actively and vigorously exercised all the powers which the law has placed in his hands, and being determined to exercise those powers with vigour and efficiency in every case where it can be done, with the view to the repression of crime, the apprehension of offenders, and the protection of the peaceable inhabitants, has represented to Her Majesty's Government his concurrence of opinion with those resolutions which I have read from the magistrates in different parts of the country in those disturbed districts, that the

powers he at present possesses are insufficient to afford that protection to life which he feels, and which the Government feel, it to be the duty of every Government to afford to those who, in the discharge of their duty and residing on their property in Ireland, are anxious to co-operate with the Government in the permanent improvement of that country, and which those persons are most justly entitled to demand. We come to Parliament, not to ask for any general Bill applicable to the whole of Ireland—I mean, necessarily applicable to it—but for a Bill applicable to every part of the country in which crime of the same kind may be found to exist—applicable at the discretion of the Lord Lieutenant. I say applicable at the discretion of the Lord Lieutenant; for, if you have confidence in his administration of the law—if you believe that some amendment of the law is necessary—that some further powers than those which he now possesses are essential in order to enable the Lord Lieutenant to maintain the supremacy of the law in the disturbed districts of Ireland, I ask you to leave the discretion as to the exercise of those powers to him rather than place it in the hands of any local authority; not from any distrust with regard to the local magistracy of Ireland, who, I must say, have shown a spirit well worthy of imitation; but because I think that they ought not to have thrown upon them, in addition to their present responsible duties, that invidious and often hazardous discretion of determining whether any special powers should or should not be exercised. I will now proceed to state to the House the nature of the Bill we propose to introduce. The Bill, after stating that in consequence of the prevalence of crime and outrage in certain parts of Ireland, it is necessary to make better provision for the prevention thereof, will in its first clause empower the Lord Lieutenant, with the advice of his Privy Council, by a proclamation, whenever, in his opinion, it may be necessary for the repression of crime and outrage, to declare—not that the district is in a state of disturbance, because, as I have shown before, if we so limit it, he might not be enabled to apply it to such districts as those in Fermanagh and other counties where assassination has been committed; but that from and after a given day the provisions of the Act shall apply to a particular district. In defining the district to which the proclamation should apply, we have followed the precise words in the existing Constabulary Act, by which the Lord Lieutenant will have the power of applying the Act to any county, county of a city, or county of a town, or any barony or half-barony in any county at large, or any district of less extent than any barony or half-barony. In some cases it may be necessary that a whole county should be so proclaimed; in others it may be right that the proclamation should be confined to a very limited district, if there is reason to believe that the district is in a state to subject it to the provisions of this Bill. The second clause of the Bill merely provides, that copies of the proclamation shall be posted throughout the districts named therein, in order to give persons notice of it, together with an abstract of the provisions of the Act for the information of all persons that may be affected by those provisions. We then propose, as one consequence of that proclamation, that the Lord Lieutenant shall be empowered, without any limitation as to number—the present limit being 100—to increase the constabulary force in any such proclaimed district to any extent he may think necessary, that of course being limited by the number of the force placed by Parliament at his disposal—such increased force to be subject to the provisions of the present Constabulary Act, and to the same control as the present constabulary force. The Bill then proposes that as the present reserved force is only 400, and is largely drawn upon by the draughts which the Lord Lieutenant has sent into these disturbed districts already, he shall be empowered to increase it to 600, so as to place at his disposal a greater available force than he has at present. Certain provisions will be necessary for authorising the payment out of the Consolidated Fund, as in the existing law, of the maintenance of the additional force; but by the present Constabulary Act it is provided that, when in consequence of a proclamation being issued any additional police are sent into any county or district, half the expense of the additional police shall be paid by the county or district in which the force serves: the expense of half the maintenance of the force being ascertained and collected ultimately at a distant period as part of the county cess, by means of a grand jury presentment. We, however, have thought it desirable—and to this provision in the Bill the Lord Lieutenant attaches great importance—that two alterations should be made as to this provision of repayment:

the first is, that when in consequence of crime an extraordinary number of police are required for the repression of such crime, for the apprehension of offenders, and the protection of the peaceable and loyal inhabitants, the whole expense of the police, during the time they are in that district, should be borne by the district, and not by the public Treasury. And, although the Consolidated Fund will be charged, in the first instance, with the payment of those men, we propose that the whole expense incurred shall be repaid by the district in which they are called upon to serve. But another and material alteration, which at the suggestion of the Lord Lieutenant Her Majesty's Government have thought it right to propose, is this, that that payment shall not be postponed to a remote period, but enforced in the nature of a penalty, and be payable at once by the district the state of crime in which may have given rise to the necessity for the employment of the additional police. The Lord Lieutenant thinks that the payment ought to be made immediately. We agree with him, and we propose that by the provisions of this Bill the Lord Lieutenant should be authorised—though I will not now go into the details—that when any police force shall be sent to any district an estimate of their expenses for three months shall be made, and that means shall be taken for levying the amount immediately in the same way as the county cess, which falls upon the occupiers. If the presence of the additional force is required for a longer period, at the expiration of the first three months the same process may be repeated, and provision may be made for any broken period, and for repayment to the county cess if the police are withdrawn at an earlier time than the expiration of the period for which the estimate has been made. I now proceed to another clause. It contains regulations which we think are necessary to be established in order to restrain in these districts the present unrestricted possession and use of firearms by persons, who by the use they have made of those arms have proved themselves unworthy of this privilege, and not fit to be trusted with them. The first provision we propose with regard to this subject is, that there shall be a general prohibition, in the districts so proclaimed, and from the day on which by the proclamation the provisions of the Act will take effect—a prohibition on all persons, irrespective of their amount of rating, with certain exceptions which I will presently explain—to carry or have within the district specified within any such proclamation, elsewhere than in their own dwelling-house, arms, which are enumerated in the Bill—that enumeration being necessarily inserted to prevent any evasion of the clause; and that any person who shall carry or have arms contrary to the provisions of the Act shall be guilty of a misdemeanor, and upon conviction shall be liable to imprisonment and hard labour for a term not exceeding two years. In this clause no discretion is left to the Lord Lieutenant. His sole discretion will be in issuing the proclamation; and if he thinks it necessary that a proclamation should issue, these provisions will follow without any further act on his part, and it will no longer be lawful for persons to go about carrying arms, as at present, for the execution of their sanguinary purposes in the districts to which the proclamation will apply. But I now come to the exceptions which are necessary: for it is impossible that this disarmament should be universal. The exceptions, therefore, will be justices of the peace, persons in Her Majesty's naval or military service, or in the coast guard, or in the service of the revenue, or in the police or constabulary force, or special constables, or persons duly licensed to kill game; or persons duly licensed in the manner specified in the Act. The list of enumerated exceptions comprises recognised cases that already exist, and in which no license will have to be applied for; but it has been thought that there might be cases in which it was necessary that the exception should be carried further. If we could rely at once with absolute confidence upon this clause of the Bill effecting the object for which it is framed, and that by the mere enactment of this clause we could disarm all persons who improperly carried and used firearms, it might not be necessary to make any other exception; but there may be persons, such as collectors of poor-rates, who are objects of these deadly attacks, or poor-law guardians, or persons absolutely obliged to go abroad in the discharge of their duty, whom it may be necessary to exempt from the operation of this clause for the purpose of self-defence. We do not propose any local system of licensing—I mean any system of licensing for the purpose of carrying arms abroad in any district, by means of the existing local magistrates. We do not think that the magistrates of the disturbed

districts should have imposed on them the duty of licensing persons to carry arms when it might expose them to greater danger than that which they already incur in the discharge of their duty. We intend that this second class of exceptions shall be few in number; that prohibition shall be the rule, and licensing the exception; and in granting that license we propose to place the responsibility on the Executive—on the Lord Lieutenant; and to provide that persons to be named by him, connected, perhaps, with the constabulary, shall have the power, at certain times, and under certain instructions to be issued by him, of granting licenses in those cases in which for the purpose of self-defence persons may require the privilege of carrying arms. There will be power given for the apprehension of all persons unlawfully carrying arms contrary to the provisions of this Act, and power for the constabulary to search all persons whom they may suspect as offending against this provision of the Act, and to take away their arms, which will then be forfeited to the Crown. As an illustration of the probable working of this clause, I will recall to the recollection of the House the fact I stated from the report which I read to the House, that upon the day on which Major Mahon was murdered, two persons were seen lurking about the spot where he was afterwards murdered; and there is no reason to doubt, although the assassin has not yet been discovered, that they were the persons by whom that fatal act was committed. If, then, the police had at that time been armed with the powers provided by this Bill, those persons might have been arrested, the fatal weapon by which Major Mahon was murdered taken away, and the parties made amenable to the punishment provided by this Bill. The provisions of the Bill, as far as I have stated them, do not extend to persons retaining the possession of arms in their houses; and we are of opinion that the same absolute prohibition to carry arms out of doors ought not to apply to the possession of arms in their houses by persons in the districts to which the Bill will extend. There is no doubt that the possession of arms has been sought for and obtained in many of these disturbed districts, by many small farmers and others, for the lawful purpose of defending their houses against midnight attacks; and in many cases those attacks have been successfully defeated by the gallant use of their firearms by those persons. But, at the same time, the indiscriminate possession, even in their own houses, under all circumstances, by persons, of arms within these proclaimed districts—persons, perhaps, against whom suspicions are entertained of being concerned in these murderous conspiracies, if not the actual murderers—ought not to be sanctioned. We therefore propose that the Lord Lieutenant shall be empowered, at his discretion, to call upon all persons not within the enumerated exceptions, and who have not also obtained, in the manner to which I have already referred, a license to retain arms in their own houses, to deliver up their arms by a day to be named in a notice to be issued by the Lord Lieutenant at some police station in the district proclaimed. And we propose to enact that after such notice any persons within the district specified in that notice knowingly retaining arms in their possession in their houses, not being within the exceptions or duly licensed, after the day named in that notice, shall be guilty of a misdemeanor, and the Lord Lieutenant shall have then the power, by warrant, to direct a search by the police in the day time for arms in such district, and to authorise the seizure and forfeiture to the Crown of all arms found in the possession of any persons, contrary to the provisions of the Bill. Such are the provisions we propose with regard to the possession of arms; and they are provisions which I am authorised by the Lord Lieutenant to state will, in his opinion, enable him, with the additional police force he will be empowered by this Bill to throw into the disturbed districts, aided by the support of the military, more effectually to prevent the frequent recurrence of crime, and to check that system of assassination which at present is so fearfully prevalent. There are some other provisions of the Bill to which I will in conclusion briefly allude. With reference to the state of disturbance in counties or districts, proof of which is now required before persons can be prosecuted under the Whiteboy Acts, it will be provided, that, in any proclaimed district the proof of disturbance shall be rendered unnecessary to a prosecution under these Acts; and that if it becomes in the opinion of the Lord Lieutenant expedient to apply the provisions of this Bill to limited districts not marked by agrarian outrages, and not coming within the ordinary definition of dis-

turbance, persons writing threatening letters, or appearing in any way in arms to the terror of Her Majesty's subjects, shall be amenable to the provisions of the Whiteboy Acts, and shall be liable to the penalties imposed by those Acts for the commission of every such crime. There is one other clause which I believe is a novel one, and which, perhaps, may be thought by some gentlemen to do little more than declare the existing law. It not only, however, declares, but it increases and enforces, the stringency of the existing law—subjects parties to penalties for any violation of it—and will, I trust, have the effect of removing, to a certain extent, that apathy and indifference to the commission of crime which now prevails, and of checking that disposition to refuse assistance to the police in the apprehension of offenders to which I have more than once adverted in the observations I have made to the House this night. We propose that justices and constables, where any murder has been committed, or where there has been any attempt to commit murder, or where there is reasonable ground for believing a murder to have been committed, shall have power to call on all male persons within the ages of 16 and 60, residing or being within the district in which that murder has been committed, to assist in the search for and pursuit of the parties charged with the commission of the crime; and thereupon every person refusing to join in such pursuit shall be guilty of a misdemeanor, and shall be liable, upon conviction, to be imprisoned, with or without hard labour, for any term not exceeding two years. Such, Sir, are the main provisions of the Bill which I am anxious to obtain the leave of the House to lay upon the table this night; and whatever the opinions which may be entertained with regard to its adaptation to check the evils which it has been my painful duty to lay before the House as existing in various parts of Ireland in a greater or less degree, I hope that this House will allow me to lay at once upon the table a Bill which the Government have felt it their duty to propose, framed with the object rather of preventing the commission of crime and facilitating the detection of criminals, than of subjecting a whole people, for the offences of the minority, to the penalties of a severe and vexatious law. As I said before, in explaining the reasons for introducing the Bill, I do not require the suspension of the ordinary form of the law, or the abolition of the ordinary tribunals; but I do ask from you the means of dispelling that terror—that natural and well-grounded terror — which exists in all classes of society in Ireland in consequence of the atrocities which I have already detailed. I trust that whatever opinion may be entertained as to the efficiency of the proposed measure, Parliament will at least not delay in acknowledging the principle, that it is the duty of the Government and of the Legislature to endeavour, by the existing law if you can, and, if not, by an amendment of that law, to prevent the repetition and frequent occurrence of crimes of that atrocity to which the attention of the House has been so painfully called. I trust that no objection will be offered from any quarter to laying the Bill on the table—the Bill being now ready to be placed in the hands of Members—and that, as an early day will be fixed for taking the second stage, any protracted debate will be until then postponed. I think it is important that there should go forth from this House this night, in agreeing to the Motion I have made for leave to bring in "a Bill for the better prevention of crime and outrage in certain parts of Ireland," a resolution, that Parliament is not prepared to withhold from us those powers which we on our responsibility demand, and which we believe to be indispensably necessary to the due accomplishment of those ends at which it is our duty to aim.

Mr. J. O'CONNELL was agreeably disappointed with respect to the Bill. From what they had heard out of doors from certain parties, and also from the elaborate statement of crime which the right hon. Baronet thought it necessary to enter into, he had certainly expected a more severe measure than that just proposed by Her Majesty's Government. He did not think that the right hon. Baronet need have put himself to so much inconvenience to obtain a fair hearing for the measure which he had proposed. He could not of course undertake to speak for any other hon. Member of that House; but speaking for himself individually, he was bound at once to say that he was prepared, as was the usual courtesy with regard to Bills in that House, to consent to its introduction. Nay, more, he was prepared to say that, if the right hon. Baronet would allow them time to send the Bill to Ireland, and to collect evidence, either before the second reading, or at any future time, to give

them a full opportunity of discussing its expediency, he would undertake to give the right hon. Baronet all the assistance which he could possibly extend to him in carrying the Bill through the House, should he be of opinion that it was a necessary measure. He was not yet convinced that the powers of the law, as they stood at present, were not perfectly equal to the repression of outrages, without any further measure. It certainly would be on his part a very grave thing to oppose the introduction of the proposed Bill at a time when such fearful outrages had taken place in Ireland; but he must, nevertheless, implore the Government, during the progress of this measure through the House, to put in force all the powers of the existing law, to try the effects of the special commissions to which the right hon. Baronet had made allusion; and to see whether they might not be able to declare to the House, before the Bill should have been read a third time, that the necessity for any measure beyond the ordinary law no longer existed; and that, by the vigorous execution of the existing law, peace and order had been established throughout the country. The testimony of Mr. Serjeant Howley had been quoted, in which he was represented to have said that every peaceable person was afraid of travelling through the county of Tipperary unprotected. Now, Serjeant Howley was himself in the habit of travelling through Tipperary at all hours of the day and the night, entirely unprotected, and yet he had never been injured. He had been informed that Mr. Howley had never received even the least intimation of injury; and yet he was certainly one who, on the judicial bench, by no means failed in carrying out the powers vested in him; indeed, it so happened that, of all the assistant barristers in Ireland, Serjeant Howley had, he believed, sentenced the greatest number of convicts to transportation. There was one thing which he deplored very much in the speech of the right hon. Baronet. The right hon. Gentleman had spoken very strongly indeed against the outrages committed by the peasantry. He had denounced very strongly the crimes committed by portions of the people of Ireland. He had lauded very highly the conduct of the magistrates and gentry of the country; but he had not said one word about the crimes that were committed by some of the gentry against the poor. He did think that in his denunciations of the crimes of the poor man, the crimes of the rich man should not escape. The crimes were not all on one side. The unfortunate relation of landlord and tenant was the fruitful source of crimes and outrages in Ireland. The tyrannising powers which had been exercised by the landlords of Ireland against their tenants had produced outrages upon the part of the tenantry of Ireland. He had brought down to the House a mass of evidence showing the nature and extent of the crimes committed by the landlords, and of the provocation which they had given to outrage in their respective districts. He did not like to enter into those details; but he should feel it to be his duty to bring those details before the House, if Her Majesty's Government did not speedily, and during the progress of this Bill through the House, propose some measure for settling that most difficult question of the relation of landlord and tenant. He could quote from the speeches of the Members of the Government passages in which a distinct pledge was conveyed that they never would give their sanction to any measure of coercion except it was accompanied by a measure of relief. They were told, indeed, that the Government did intend to bring forward measures of relief; but the House did not see them—they did not know what they were. To deal with the evils of Ireland harshly and severely, was a bad way to begin. He did assure the hon. Gentlemen who sat on the Treasury bench, that if they had accompanied the proposal of this Bill with substantial promises of remedial measures as to the laws of landlord and tenant, the Bill would have been more effectual in the repression of outrage and crime. He hoped that before this Bill was passed, the House would demand of the Government a detail of the remedial measures which they intended bringing forward for Ireland. There was another matter which he would very shortly dwell upon, but which must be pressed again and again upon Her Majesty's Government. The Government depended a great deal too much upon the poor-law for the support of the people of Ireland. The poor-law would be found to be inadequate. Human life was perishing in Ireland; the resources of the country could not be developed in time to save the waste of human lives. Whilst the Government were anxious to bring in a Bill to repress outrages and crime, they should also do their utmost to prevent the ravages of starvation and pestilence in Ireland. He had a bundle of

evidence, in addition to that which he quoted from the other night, which showed that the extent of destitution in Ireland would be greater this winter than it was in the winter of 1846. The anticipations which were entertained of the present winter were of the most dismal and gloomy nature; the state of the Irish poor in the present winter would be one of horrors. The people were without employment, and the relief to be afforded from the rates would be of the most scanty character. Outdoor relief must be withdrawn in a very short time. Something should be done to assist the people. It was said that Her Majesty's Government had got some corn in reserve with the view of relieving about 500,000 persons. He believed that instead of 500,000 persons, there would be between three and four millions to whom relief ought to be given. He believed that a million and a half was intended to be lent for the improvement of the land, and 500,000*l.* or 600,000*l.* to railway companies; so that there must be a residue of about 4,000,000*l.* out of the 8,000,000*l.* advanced last year still unemployed. He would therefore implore the Government, if that was the case, to devote the residue of the loan to the purpose of saving the lives of the people; if not, more than another million of the people would be starved to death before the expiration of a month. As Her Majesty's Government were not likely to meet with much opposition in the various stages of this Bill, as they found that they would be disembarrassed of much of the difficulty which they reasonably anticipated, with regard to this measure of coercion, he called upon them to propound, during its progress through the House, those remedial measures which they intended bringing forward for the purpose of restoring peace and prosperity to Ireland. It was not creditable for this country that there should be nothing more than attempts made to meet the distress of Ireland by what might be called mere stop-gap measures. If, however, Her Majesty's Ministers had any intention of bringing forward any great plans on which to lay a foundation for the amelioration of Ireland, why should they not announce them at present? Why not specify them now, and thus show to the country that they really did intend to remedy the evils of Ireland? He would not longer intrude upon the attention of the House. He thought that he should have had to make a much longer speech with respect to the Motion of the right hon. Baronet. He begged to be understood, however, that he did not pledge himself in any way to support this Bill. If the Government should, during the progress of this measure through the House, find that by a vigorous execution of the existing ordinary law peace was restored in the disturbed counties in Ireland, he implored them to withdraw the Bill, and consider the absolute necessity of bringing forward some remedial measures. In such measures the Government would receive all the support which the Irish Members could tender to them. No obstacles would be put in their way. If they governed Ireland on those principles, they would recover that popularity which they once had in that country, but which he regretted to say they had in a great measure lost for some time past. He had a letter in his pocket from a barrister of large criminal practice in Ireland, who was of opinion that the ordinary law, if duly put in force, was perfectly sufficient, and that special commissions would be sure to succeed, as they had in times past, in restoring tranquillity to the country. He would earnestly suggest to the Government that they should try the effects of the ordinary law. The hon. Gentleman then read a letter written by his father in 1845, prophesying a complete failure to the coercive measures proposed at that time, and insisting on the amelioration of the law of landlord and tenant as the great means of repressing outrages and crimes in Ireland. The people were now, he said, slipping out of the hands of their superiors, as prophesied by his father years ago. The truth was, that many of the peasantry of Ireland, having no hope of the laws with respect to the tenure of land being altered, cared little, if anything, for the admonitions of their priests or bishops. The people had reached a state of madness; the manner in which their appeals for improved laws had been neglected had rendered them desperate. No admonitions could restrain them now. As long as they attended to the advice of their clergy there was some hope of peace, law, and order. He implored the Government to come forward in a statesmanlike manner to remedy the desperate condition of Ireland. With that humble adjuration he would conclude, by assuring the Government that he would give them every facility in the passing of this measure, if they acted during its progress through the House in the manner to which he had alluded. Let them endea-

vour to give peace to the well-disposed people of Ireland, not by coercive, but just and remedial laws.

Mr. O'CONNOR confessed that, after "the humble adjuration" of the hon. Member for Kilkenny to the present Ministry, he felt himself surrounded by a good deal of difficulty. At the outset he might state that there was no hon. Member in that House who had a greater horror of outrage and violence than himself; and he was proud to say (and it could not be contradicted) that in the whole of the course of his life he never committed or sanctioned one criminal act. But it was because he recognised in this measure the foundation and basis of more criminality than it was intended to put down, that he gave his most determined opposition to it in the outset. And after the speeches of the hon. Member for Kilkenny in 1843 and 1844, he was astonished that he should place any reliance upon the equivocal promises of the right hon. Gentlemen opposite on the Treasury benches. But if he required a stronger reason for opposing this Bill than upon principle, he had been furnished with it by the right hon. Baronet who had introduced it, because, from the beginning to the end of his speech, every single sentence, every single announcement with regard to the stretching of the ordinary law, went to prove that, with the present exertions of the Lord Lieutenant, all that could be done was done, and that successfully. At the outset of his speech the right hon. Baronet told them that crime had diminished by one-third—and then he afterwards paid a very bad compliment to the right hon. Baronet the Member for Tamworth, and that House, because he told the House that portions of the outrages to which the Bill referred had been in progress for two or three years previously to the present Government coming into office. Then he would ask the right hon. Baronet opposite (Sir G. Grey) why he had assisted in driving the right hon. Baronet the Member for Tamworth from office? But the right hon. Baronet (Sir G. Grey) had himself that night admitted that in cases in which the Lord Lieutenant had driven the powers of the ordinary law to the utmost, peace was restored to a disturbed district. The ordinary law had been found to be amply effective. He did not disapprove of this Bill more than he disapproved of the principle of coercion for Ireland. The right hon. Baronet (Sir G. Grey) had said, in appealing to the Irish Members, "Don't let it go forth to this and to foreign countries that you are opposed to our attempting to remedy the present distracted state of Ireland." No, rather let the truth go forth to this and to foreign countries, that, when the people of Ireland were dying for want of food, the Government of England gave them coercion. He (Mr. O'Connor) had always found that whenever the ordinary law was executed with vigour, but at the same time with mildness, it was sufficient; but the Bill of the right hon. Gentleman proposed to legalise outrage and crime in Ireland; it proposed to establish a brigand police in every district which the Lord Lieutenant might proclaim as a disturbed district. In fact, this Bill would enable the police to do as they pleased; but it was evident that this Bill was but a sample of old English rule in Ireland. It was a sop for the landlords. It was merely a bit of patronage for them. He supposed it was a bit of compensation to the landlords for the repeal of the corn laws. That evidently was the intention of Her Majesty's Government in bringing forward this Bill. The hon. Member for Kilkenny had said that he was satisfied with a measure of coercion so long as the Government promised remedial measures. But he could not promise the Government his support of this measure on such slight grounds. He was for no such temporising policy. He never found that such temporising policy resulted in any good. He was not prepared to enter into the discussion of the Bill at present. He intended reserving himself for another opportunity, quoting the high authority of several constitutional writers, all of whom united in condemning coercion, and none more strongly than the noble Lord opposite (Lord John Russell). He should be prepared to show from the noble Lord's own work upon the government and constitution of England, that the effect of coercion failed in its objects in any country in which it was established. He (Mr. O'Connor) had done as much as any man in this country towards the suppression of crime in Ireland. In 1822, a special commission was issued for Cork, which at the time was very much disturbed, and it was found to restore tranquillity to the country, although the amount of outrage and crime was much greater than that now proposed to be repressed in Tipperary, &c. The judge that presided over that commission laid it down as law, that people that ran away from the soldiers were

primâ facie guilty, and that a good character was rather an aggravation than a palliation of an offence. The outrages that occurred at that time were outrages not against landlords, but against tithes. How were those outrages? They were put down. The tumults were put down; but immediately after came full remedial measures. But that was not the course taken by the noble Lord opposite. Why had not the present Government produced contemporaneously with this measure of coercion the remedial measures which they had said they intended hereafter bringing forward for Ireland? They certainly had given tranquillity and quiet to some parts of Ireland; but it was the tranquillity of starvation, and the quiet of the grave. At the time of the Cork disturbances the hon. Member for the University of Cambridge brought forward the Tithe Composition Bill at the same time that he proposed coercion for the disturbed districts of Ireland. At the time of those disturbances, he, in company with thirteen priests, twelve of whom were still alive, succeeded in persuading the people to give up all their arms. The ordinary law was found to be sufficient to check outrage and crime amongst the people. Whilst the noble Lord had robbed the Established Church of a fourth of its income, and handed over the spoil to the landlords, not a single fraction had been given to the located tenants. Then they heard an outcry in favour of the landlords; and the right hon. Baronet (Sir G. Grey) said that there was an expression of his (Mr. O'Connor's) which struck him with horror and with awe, viz., that the idlers should be taken off the land. In the observations which he addressed to the House a few nights ago, he (Mr. O'Connor) certainly did talk of taking the idlers off the land; but he did not mean the landlords, for no man had ever done so much in defence of the Irish and English landlords as he had throughout the whole of his political career. What he did say was, "Take off the taxes; take off the poor-laws; take off everything that weighs heavily and needlessly on the land; take off the idlers, that was to say, give employment to the unemployed poor." The right hon. Baronet opposite had said in effect, "Let the police be the judges of crime; let the police be magistrates; let the police be executioners." The result of such unconstitutional proceedings had ever been found to be productive of the worst results. He would ask the Government rather to try what a mild enforcement of the ordinary law would do than coercion. He would ask hon. Gentlemen opposite with what face they could support such a measure as that proposed by the right hon. Baronet, when it was confessed that the ordinary law had not been efficiently tried? He himself believed that there were ample means in the hands of the Government to restore perfect tranquillity in Ireland. It was futile for the present or any future Government to attempt to restore peace to Ireland during the present state of the law of landlord and tenant. If the right hon. Baronet wished to give peace and prosperity to Ireland, he must bring forward not a Coercion Bill, but a Bill to remedy the social condition of Ireland. As it was the intention of hon. Members who put themselves forward as leaders of the Irish people to delay their decision until they discovered what effect the news of more bludgeons and dragoons would have in Ireland, he would reserve what he had to say. He recommended the exercise of the ordinary laws, although they had been strained against himself. Those who took a leading part in agitation ought, as they sought for the lion's share of the glory, to be prepared to endure a lion's share of punishment. He regretted to see the part taken by those Irish Members. He was an Irishman himself, although representing an English town, and so far from acquiescing in the provisions of the Bill, he gave notice that even if he should stand alone he would divide the House upon every single occasion on which he could do so. He was content to go into the lobby alone, and let the Irish Members go along with the Ministers if they pleased. The whole principle upon which the government of Ireland was based was a wrong one. Ireland was an agricultural country, yet it was in effect governed by a majority of English manufacturers, and by a timid body of Irish landlords. If English and Irish landlords did not unite and place the property of Ireland on a better footing, both would rue their negligence: he said both, for the English landlord would be stabbed through the side of the Irish landlord. The fact was, Ireland was looked upon in no other light by the Ministry than as regarded the amount of political support or opposition she could give to them; and in this self-same point of view she had been regarded by several successive Administrations. The Government of this

country did not care a jot for the Irish people nor for the Irish landlords. He must again express his regret that the hon. Member for Kilkenny (Mr. J. O'Connell) had not taken a more bold, manly, and decisive course—that he had not resisted the Bill at the onset. He (Mr. O'Connor), as an Irishman, had more pride than quietly to sit by and see his country crushed. He would divide against the Motion, and go with satisfaction into the lobby even if he went alone, because he felt that he was maintaining a just principle, and by his vote marking, in the most energetic and practical way he could do, his dislike of that coercive policy which had been the ruin of Ireland.

Mr. HORSMAN said, although he should support the measure now proposed, or any other measure that was calculated to promote tranquillity and the security of life in Ireland, he was not prepared to support it either on the ground stated by his right hon. Friend who introduced it, or on that to which the observations of the hon. Member for Kilkenny applied. His right hon. Friend had dwelt particularly on the present prevalence of outrage and crime in Ireland. That was not to him satisfactory, because crime and outrage in Ireland were very familiar to us, as familiar as Coercion Bills; and we knew that in former periods measures of coercion had failed. Neither could he support the measure, because it was a milder measure than Ministers were expected to introduce, for he considered that he was not to look at a measure, where so much was at stake, to ask if it were mild or severe; his duty as a Member of Parliament was to ask if it was a suitable and effective measure. When the preservation of human life was the object to be attained, he thought that a falling off on the side of leniency might be little less reprehensible than an excess of severity. The question he asked himself was, was the measure founded on right principles, or was it, as had been predicted by those who threatened opposition to it, founded on the old mistaken principle, a mere isolated expedient to meet a temporary emergency, another in that series of violent makeshifts by which our past legislation in Ireland had been disgraced? Was it founded on that better principle which Parliament established not long ago, that our Irish legislation should henceforth proceed on a system; that every enactment should be part and parcel of a great and comprehensive policy—links in a great chain of intelligible measures, each intended to support the other, and all having the same object—the improvement and tranquillity of Ireland? That was a question which, on this occasion, they were bound to ask, and especially those who sat in the last Parliament. And they were more bound to do so now than at any former period, because now they were in different circumstances from any which had ever existed when measures of coercion were introduced. With demands for similar powers on the part of former Administrations, and compliance with them on the part of former Parliaments, they were unhappily too familiar: there were precedents enough for them; but in relation to such demands, Parliament now stood in a position for which there was no precedent. The last time those powers were demanded by the Executive Government they were refused; they were demanded by the Gentlemen who occupy the benches opposite, and refused by us who sit here. Was it a light occasion on which that occurred? By no means—the fate of an Administration hung upon it. The right hon. Baronet (Sir R. Peel) was then in power, and was driven from it, because for the government of Ireland he asked, and was refused, those powers which they were now about to grant to his successors. He could not forget the vote he had given on that occasion, or the part he had taken, so far as his humble powers went, in the proceedings which then occurred, or the grounds on which he had then acted. It was not that they had no confidence in the right hon. Baronet, nor that they quarrelled with the particular measure introduced by him, but it was that they wanted to give a death-blow to the coercive system. That was the main ground on which they acted; it was on that ground that the noble Lord (Lord J. Russell), who had led them with so much spirit on that occasion, based his argument. The noble Lord then told them that successive Administrations had always acted on this system; that in doing so they had been all wrong; that a coercive policy was a mistaken policy; and that now was the time, by a decisive blow, once for all to bring it to an end. He, on that occasion, following the noble Lord, also expressed his sentiments; and he quoted a protest left on record by a late wise and benevolent statesman, Lord Holland, which declared that the coercive system had been particularly injurious, for two reasons—that it taught the gentry and magistracy of Ireland to rely for protection

rather on the suspension than the preservation of the law; and to depend for security, not as English Gentlemen did on the respect and affection of their neighbours, but on the presence of a military force. The other bad effect was, that it encouraged Government to postpone and resist those healing measures without which Ireland could never be reconciled to English connexion. The noble Lord had taken his stand upon that principle, and maintained it with spirit and success; and well did he recollect the cheers which followed the speech of a right hon. Gentleman, now a Member of the Administration, who, remarking that that was the first time in the history of the country where Parliament had ever refused those powers to an Administration, comforted them with the assurance that no Government would ever ask to have them granted again. That was the ground then taken in 1846. They were now at the end of 1847. The question to be asked was, were they about to retrace their steps? He hoped they were not; he thought they were not. Referring to the complexion of the present measure, it was their duty to see if its provisions were suitable and convenient. Now, who were the parties whom it was likely to affect? The miserable wretches by whom the crimes now common were committed. But if they could believe what had been stated to that House, as well as in the ordinary sources of knowledge, he should doubt if these were really the parties by whom the tranquillity of Ireland was so much disturbed. He wished not to give offence, or to hurt the feelings of any one; but he could not forget that a few nights past the hon. Member for Marylebone (Sir B. Hall) had stated, in a speech with which the House generally seemed to concur, that great blame was to be attached to certain associations in Ireland, the whole end and object of whose existence was to excite aversion and hostility to this country, and to hold up the law to the poor man as his enemy and oppressor. According to the descriptions they had heard, the poor man was kept for a long time on the verge of insurrection, on the brink of crime, by the exciting language addressed to him, until at length he plunged in. The law seized him, and made an example of him; but those who were represented to be the poor man's instigators, those who really were the causes of the crimes he committed, were left untouched, nor did the provisions of the law attach to them. Again, an hon. Gentleman whom he saw opposite, and who had addressed them in a short and impressive speech which riveted the attention of the House, alluded to another subject—the priests of Ireland. He wished again to avoid raising any angry feeling; he, as an Englishman, took the Irish system as he heard it described by those who were more familiar with it than himself. Called upon to legislate for Ireland, he was told there were priests who denounced from the altar by name some gentleman who, he said, was the poor man's enemy. The poor man takes the hint—he shoots the enemy. You hang the miscreant that fired the shot; but he, the more culpable assassin—he who charged the weapon and directed his aim, do the provisions of your law touch him? Again, they had heard and read, and they knew from official statements that the facts were true that wholesale ejectments went on in Ireland. A whole village was pulled down, and the people turned out into the road: the infant and the aged, the hale and the sick, were thrust out; their cottage was burnt over their heads; they took refuge in the nearest ditch, without a roof to shelter, or a crumb to feed them. The wretched outcast, feeling that the law gave him no protection, took the law into his own hands, and avenged himself. The provisions of this law applied to him; he would be taken, tried, and executed. Well, the rich man, who by one despotic command, might at any moment jeopardise the lives of his fellow-men, did the provisions of this law affect him? He had alluded to agitators in Ireland, but he hoped that in doing so he should be acquitted of wishing unnecessarily to throw a stone at any of those Gentlemen by whom agitation was practised in that country. He had read the history of Ireland with some attention, and he could not disguise from himself, nor was he ashamed or afraid to avow his conviction, that every act of justice which Ireland had obtained from the British Legislature had been obtained by agitation. They had heard Gentlemen in that House, and holding high official station, declare that if they had been Irishmen, they would not merely have been agitators, but repealers; and he himself felt that if in England one hundredth part of the injustice done to Ireland since the Union had been committed, he did not believe that England would have been governable for a week. These were facts which they all knew, and therefore, al-

though he could not approve of the exaggerations which they were accustomed to hear called forth, or of the proceedings to which those who took the lead in Ireland lent themselves, still he must say, that those men, being lovers of their country, and seeing the miseries which she had been made to endure from the policy pursued towards her—miseries which, according to Lord Devon's report, were borne with unexampled patience and submission—ought not to be judged too severely—he could not at all times expect them to restrain their language any more than to forget their history. The grounds on which the Bill had been introduced, referred to the state of crime now so prevalent. But, appalling as were many of the statements which his right hon. Friend submitted to the House, it was not the murders themselves that to him formed the most horrible part of the picture; nor the fact, though it was a most painful one, that you could not get the inhabitants of the district to apprehend the assassins; to him the most horrible consideration was, that we had allowed this system to go on ever since we had known Ireland, and that up to this moment we had made no progress in remedying it. These statements were very painful; they showed that outrage and murder were prevalent in Ireland, but there was nothing in them to surprise by its novelty, for he remembered its being once said in that House with a sneer, that the budget of outrages was presented in that House every winter as regularly as the Christmas pantomime. On the last occasion the hon. Baronet the Member for Ripon (Sir J. Graham) produced it with a power and effect which, if anything could, would have persuaded the House to adopt the measure he proposed; but the statement fell flat upon their ears. Lord Althorp, in the year 1833, had gone over the same ground exactly; yet he was not original. He had been preceded in the year 1825 by Mr. Secretary Goulburn; yet the exposition of that accomplished master was quite void of originality. For even so far back as the year 1814, Mr. Secretary Peel had made the blood of the House run cold by what, even in his case, was only the repetition of a thrice-told tale. To go back to the commencement of the century, immediately after the Union, let hon. Gentlemen who said the present state of matters was without precedent, listen to a statement made by a Peer in Parliament on the same subject. The Earl of Clare said—

"Happy would he be if he could go to his bedchamber at home without encountering an enemy, and could close his eyes without apprehensions of having his throat cut before morning, and seeing his wife and children butchered before his face; he should be extremely happy if he could ride or walk abroad unguarded, for it was a curious fact that his servant brought him his arms as regularly as his hat when he went out in Ireland."

The noble Lord went on to offer a villa and six acres of land to any one who would occupy them for six months; for, he added, that he was perfectly satisfied no one would accept them under such conditions. If any one would refer to Mr. Peel's speech to which he had already alluded, he would be surprised to find that we were now exactly in the same state of society as thirty-three years ago, deploring the same crimes, and tracing them to the same sources, not political or religious, but agrarian; and, listening to a Member of Government bringing forward this tale of horror, of which they ought to be ashamed, could he hesitate to admit that, unless other measures were to accompany the one now before the House, they should be following the pernicious example of former Parliaments, and wasting their energies on the symptoms of the disease, leaving the malady itself untouched? He had stated this much, not merely in vindication of the course he was about to take, after the vote of last year, but for a better reason, and one quite legitimate—it was because he was perfectly prepared to place the powers now asked for in the hands of the Administration. That the measures would not be severely carried out, he was convinced from the first, by the character of the Government. He was perfectly ready to place powers such as those proposed, or even greater powers if they should be required, in the hands of Ministers; but what he did require was, that they should have an equivalent in the shape of remedies. He wished that remedial measures should go hand in hand with coercive measures. He wished that they should show the people of England that they were in earnest, and that it was now time to put an end to this constant alternation of relief and coercion—feeding the people of Ireland one day, and coercing them the next—throwing the burden of these measures on their constituents who were to bear them, as the revenue tables told us, with diminished means, and as he feared the Chancellor of the Exchequer would tell them, with increased taxation. He felt that this was not a time to trifle with the subject. For thirty-three

years we had been at peace with every people of Europe, except the Irish. Who could tell how long an European peace might continue, or who was the bold man to predict when the Irish war would be brought to a termination? He felt as if standing on the brink of a volcano. They had by the mercy of Heaven escaped the judgment which they had deserved for the enormities they had committed in the government of Ireland; but let them not tempt their fate further; let them retrace their steps, and, entering on a new course, show at last a sincere although a tardy repentance. He had said, and with unfeigned sincerity, that he trusted the Ministry, by the remedial measures which they would propose, would show themselves equal to the emergency in Ireland. The noble Lord at the head of the Government had sketched out to them on the other evening some of these measures. One of them was a most important measure, and he had heard the noble Lord refer to it with immense satisfaction; it was the measure for the sale of encumbered estates in Ireland. He would not put this measure forward as the first in importance, but he did think it one of the most important that it would be possible to introduce. The noble Lord told them also that they were to have a measure for the improvement of the jury law. He did not remember any of the other measures adverted to by the noble Lord. [An Hon. Member: The law of landlord and tenant.] He presumed that measures for the amendment of the franchise and municipal corporations would follow as a matter of course; but he owned that with respect to that Bill which his hon. Friend had reminded him of, and which he had not forgotten, he was sorry to hear the noble Lord speak of it with so much doubt. The Landlord and Tenant Bill was a most important one, and if they were to believe the authorities who had hitherto spoken on the subject, it was, if not the most important, certainly one of the most important that could be brought forward; and he thought that if a measure of the kind were to be prepared—if the noble Lord who spoke the other night did not see his way clear in the framing of such a measure, he thought his speech of last year was unfortunate and ill-advised. He admitted that there were difficulties on the subject; but his opinion also was, that there were no difficulties in the governing of Ireland which were not aggravated by delay. He admitted that there was danger in Ireland; but no danger was likely to prove half so great as the danger of proceeding with half measures—and he felt certain that the present Government had with respect to Ireland an unusual load of responsibility. First, there was the manner in which they succeeded to office, pledging themselves manfully, and he hoped sincerely, to remedial measures, in opposition to a coercive policy. There was this other responsibility, that they entered upon the legislation of Ireland with one advantage that no Government ever possessed before, and he doubted whether in our time any Government would possess again—he meant the perfect absence of all party feeling. The government of Ireland was placed unreservedly in their hands: on that point there was complete unanimity both in and out of doors. Parliament had gifted them with absolute powers—the courage and capacity to turn those powers to the best account Parliament had not given; but these, he could assure them, were qualities that neither the country nor the Parliament would dispense with.

Mr. FAGAN said, that he stood up with the greatest reluctance to state to the House the course which it was his intention to pursue. His reluctance was the greater in consequence of what had occurred on the part of certain hon. Members with whom he was in the habit of acting; but he could not permit any feelings, however cherished, to interfere with the discharge of that duty which he owed to his country, as one of the representatives of her constituency. He was bound fearlessly and manfully to perform that duty; and when the hon. Member for Nottingham had stated his intention of dividing the House that evening, he felt it incumbent on him to claim from the House its indulgence, while he shortly explained the views which would compel him to go out with the hon. Member. There was no one in that House who more than himself deprecated the prevalence of crime in Ireland; there was no one who more than he, regretted the abominable crimes that had lately been committed in that country; but at the same time he felt this, that these crimes called to Heaven for vengeance, which would sooner or later bring down a just retribution on those who had prompted to them. He admitted, that the best efforts of the country were paralysed, and that these crimes made many turn with disgust from politics; but while he admitted all this, he was perfectly convinced that such measures as the pre-

sent would not prevent the perpetration of crime. The right hon. Baronet who had introduced this measure anticipated the best results from it. He held a very different opinion, for in his impression its only effect would be to increase the discontent in the country, and consequently increase the prevalence of crime. It was a maxim in politics, that where the mass of the people were opposed to the policy of certain laws, no coercive measures that they could by possibility introduce would have the effect of inducing them to change these opinions. Let the House remember the history of the tithe warfare. Lord Stanley introduced his Arms and Coercion Acts. He put in force his rebellion writs; but he asked those who knew the history of Ireland at that period, if the Arms Bill, or the Coercion Bill, or the military force, or the police constabulary, had the effect in any degree of repressing crime, or putting a stop to outrage? What was the result? A Tithe Commutation Act was ultimately introduced, which passed into a law, and then they had an end of outrages arising from this source. The great origin of all disturbances in Ireland arose from the tenure of land. They saw the tenant struggling with starvation on the one hand, and on the other hand with the proprietor; and it was because this antagonism existed that crime was rife, and that such measures as the present were deemed necessary by the Government. Let them do away with the cause, and the effect would soon follow. He believed, that until this was done, the Bill of the right hon. Baronet would be attended with no permanent result, or in any degree aid the prevention of crime in Ireland. The history of Ireland since the Union had been a history of coercions. What was the consequence? Let them look over the returns of crime, and he would venture to say that in no single year since 1800 were crimes and murders less numerous than at present. They had the suspension of the Habeas Corpus Act in 1801; they had the first Arms Bill in 1807. Was crime less frequent after the passing of these Acts? In 1843, they had the celebrated Arms Bill; and he recollected well the discussions that took place on that measure, and in particular a speech of the right hon. and learned Member for Dungarvon, characterised by a more than usual share of his genius and patriotism. But that Arms Bill was not nearly so strong as the measure proposed this year by the right hon. Baronet. Did the Bill of 1843 produce the effects that were anticipated from it? Nothing of the kind. He found that crime was upon the increase in 1844, and that out of a thousand cases not less than 550 were committed in the five counties so often referred to on that evening. This was a consequence of their Arms Bill. In the year 1846 they had had introduced into the House a Coercion Act; but the Government of the country was overthrown upon it. There was then a kind of dread of approval of such a Bill on the minds of the Members of that very Government which introduced the present measure. They then accepted office, and told the world that the system of coercion had found its end, and that Ireland was for the future to be ruled by remedial measures only. They were told that nineteen murders had been committed in one month in Ireland; but at the former period fifty murders had been committed in two months. If, then, the right hon. Baronet the Irish Secretary thought that last year's Bill was not necessary when fifty murders had been committed in two months, how could it be more necessary now, when only nineteen murders had been committed in one month? —horrible as these murders were, to be sure! And, with regard to the second question—if the ordinary laws were first to be tried then, why should they be less necessary now? He admitted that Ireland had never been under a more able, efficient, and intelligent Lord Lieutenant than the present; but still he contended that the ordinary powers of the law had not yet been fully tried. The crimes had only lately been committed; but they were told, that so soon as sufficient evidence could be collected, special commissions would be sent down to the several counties, and passages had been read from existing Acts of Parliament, which satisfied his mind that the ordinary laws of the country were sufficient to cope with the evil. It was said, and said truly, by the right hon. Baronet, that many of the respectable farmers armed themselves and their tenants. He knew of his own knowledge that this was the case, and that the purpose of their so arming themselves was for the purpose of defending property. Now this arming took place in the five disturbed counties; but he would ask the right hon. Baronet if from thence he meant to conclude that that fact was the cause of crime? The cause was deeper than hon. Gentlemen were disposed to allow for. They surely did not

imagine that these surface Bills, these Coercion and Arms Bills, that hon. Members in the British House of Commons, legislating for Ireland, appeared to be so fond of, they surely did not imagine that these measures would put a stop to crime? The remedy was pointed out by the hon. Member for Rochdale (Mr. S. Crawford); it had been admitted by the right hon. Baronet; he had admitted that the great mass of the community had nothing to do with the crimes that had been committed in some small parts of Ireland, and he had only done justice to the people of Ireland in saying so. The people of Ireland were most patient and enduring. They were so because they were a religious people. He would affirm that no nation on the face of the earth would have endured with so much patience starvation and utter destitution. No other nation would have borne with the same patience the misery and the famine to which they were subjected for the last two years. Certain it was that the people of this country would never have borne with half the injustice. Let them go to Mayo, and see the people there dying by hundreds, and see if there was a single murmur or sigh of discontent at the system under which they were placed; or let them go to Clare, and see the people seeking from the rocks that surrounded them the seaweed and the shellfish that would enable them, in the absence of all other support, to sustain life; or let them go to his own county of Cork, to the district of Skibbereen, where the population exhibited every symptom of famine, and where there was not 10*l.* in the hands of the poor-law treasurer to support the destitution, and where the whole rental of the district would be insufficient to support the thousands that crowded round for relief. And yet he was proud to say, that when the *Stephen Whitney* was wrecked upon the coast, the starving inhabitants freely shared their last morsel with the unhappy survivors of that wreck. Yes, the people deserved the eulogium that had been paid them; and the question was, what could be the cause of these outrages in the five counties that had been named? for he would assert, that no country was more free from crime or from agrarian outrages than Ireland was. He would not go into any elaborate investigation as to the causes of these crimes. His own opinion was, that it was owing to the struggle which, especially in these localities, had been long continued between the possessor and the occupier of the soil. Even from the first connexion of Ireland with England these localities had been remarkable for the disturbances that took place in them. The reason was, that these districts were geologically fitted for pasture; and the landlords were anxious to throw the lands into pasture, while the occupiers were as anxious to retain them in tillage. It was calculated that there were 30,000 farms in Tipperary alone that were under thirty acres; and, supposing it was intended to consolidate those farms into holdings of more than thirty acres each, they would require to eject 15,000 families, or 75,000 individuals. There were two causes for the unhappy state of the country—first, the undue competition for land; and, second, the embarrassed state of the landowners. Now, with regard to this second cause, it was said that the Government had some measure in preparation; and, no doubt, if it was sufficiently stringent in its provisions, it would be productive of much good. The mortgages in Ireland were calculated to amount to four millions, while he did not himself believe that the whole rental of Ireland was more than twelve millions. But of this rental a large portion was paid to absentee landlords in this country, and to large companies existing in this metropolis; and their lands were charged with no money. The four millions of mortgages must, therefore, be subtracted from the rentals of the resident landlords. He would, therefore, hail with delight the prospect of any measure which would enable the proprietors of Ireland to get rid of the embarrassments which encumbered them; and he hoped that the measure to be brought forward by Government would be sufficient to meet the evil, and that it would go so far as to reach the system of entail. With regard to the evils arising from the undue competition of land, he thought that could only be got rid of by a public valuation. Lord Gosford never let an acre of land without having it examined by a professional valuator; and the consequence was, that there was not one of his tenants that was 5*s.* in arrear. Mr. Wiggins, an extensive agent both in England and in Ireland, had published a pamphlet on the subject, in which he stated that a public valuation of land would be necessary to guard against the evils of undue competition. His own opinion was, that the Bill of the hon. Member for Rochdale was the only Bill that would

tranquillise Ireland and introduce prosperity into that country. He might be told that he ought to have confidence in the noble Lord, and wait till his measure with regard to landlord and tenant was introduced, the rather as the right hon. Secretary for Ireland had declared that it would be found to go far enough to satisfy even the hon. Member for Rochdale. But he had his doubts whether after all it would satisfy the people of Ireland; and if it did, he still thought the noble Lord was bound to have introduced such a Bill at the same time with the present. It would be well if the House would endeavour to conciliate Ireland. He admitted that the House had acted nobly last year; and they had obtained, as they deserved, the gratitude of the Irish people. He admitted that the English people had acted most generously in having subscribed the sum of 700,000*l.* for Irish distress. They had gained the good opinion of Ireland last year; let them not now produce a contrary effect. He had hoped that the days of coercion were over—he had hoped that the first measure in the fifteenth Parliament of the Union would not have been a measure of coercion. The right hon. Gentleman the Secretary for the Home Department expected much good from the new poor-law; but he would tell the right hon. Gentleman, that in the effect of that measure he would be disappointed. The noble Lord at the head of the Government, on the occasion of his opposing the Coercion Bill by Sir Robert Peel, said, he expected no good from a poor-law for Ireland; and he (Mr. Fagan) would now ask the noble Lord and the right hon. Gentleman the Home Secretary whether they anticipated that the quarter-acre clause of the new Poor Law Bill would have the effect of tranquillising Ireland. He ventured to predict that it would not. The principle of free trade had recently been established, and in the year 1849 corn would enter the country free of all duty. What, he would ask, would be the effect of that upon Ireland? Why, that the present mode of cultivation in that country must be changed. The country could not then depend upon cereal crops. Her climate was not suited for it, as it was humid, and better calculated for green crops, and, consequently, was more suited to the feeding of cattle. How was that change to be produced? Why, it would involve an expenditure of at least 10*l.* per acre. Was it to be expected that the necessary drainage of the land would take place without the tenant having an interest in the improvements which he effected? That was a great question, and one which that House, in legislating for Ireland, would do well deeply to consider. A good deal had been said in the course of this debate, and on a former occasion, as to the conduct of the Catholic clergy in Ireland. Now he believed in his conscience that the Catholic clergy in Ireland were the link which bound that country to England. He believed that, by their instruction and moral teaching, they kept the people of Ireland tranquil and submissive to the law; and it did not become any Member of the British Legislature to say anything disrespectful of a class of men that had done so much good service to the community. He had himself the honour of being acquainted with a clergyman whose name had been made the subject of a comment in that House—Archdeacon Laffan. That reverend gentleman never intended that the expressions which he was reported to have used should be construed in the manner which they had been in that House. He believed that the object of the rev. gentleman was merely to draw a comparison between the sturdy and determined character of the people of England, and the more excitable and irascible character of the Irish; and certainly nothing could be further from his mind than the intention of exciting the people to the commission of crime. He begged to apologise to the House for having detained them so long; but as it was his intention to support the hon. Member for Nottingham (Mr. F. O'Connor) in the division which he intended to take, he had considered it his duty to lay his views upon the subject before the House.

Viscount Jocelyn said, the hon. Member for Kilkenny (Mr. J. O'Connell) had commenced his address by expressing the gratification he felt that the measure which had been proposed by Her Majesty's Government was not of that stringent character which he had been led to expect. Now he (Lord Jocelyn) must acknowledge that he felt bound to take the earliest opportunity of expressing his regret that the measure of Her Majesty's Government was not of a more stringent and a more efficacious nature. He felt deeply that the measure which Her Majesty's Government had this night laid on the table of the House would not be found to be sufficient to enable the Government to cope with that state of society which at present existed in Ireland;

and they would not find themselves, with that measure, enabled to put down those monstrous crimes and that system of assassination which had disgraced Ireland during the last month, in the eyes of all civilised nations. He could have wished that Her Majesty's Government had thrown themselves on the good feeling of that House, and had proposed a measure to Parliament which would have enabled them to maintain the law, and would have enabled them to place upon a better and more secure footing the lives of Her Majesty's subjects in Ireland. He believed that there was no man in that House who would be opposed—if he believed its possession would be successful—to giving to Her Majesty's Government any power which they might consider requisite to enable them to crush at once those hideous conspiracies which now exist in Ireland for the destruction of a class of men, who, whatever their faults might be—be those faults as bad as they were described in that House at various times, but which he did not believe—he said that these men had a right to expect from the Government and from that House security for their lives and property. They had a right to expect that in a civilised nation they should have the advantage of protection, and not be placed in the position of those who lived where there was no law except the law of impulse and passion; or, at all events, that they should be placed in a position of being able to defend themselves and their property, and be prepared to meet any blow which might be aimed against them. He believed that the first duty of all Governments was to give security to life and property. There was a compact between citizens and States for that purpose. It was for that purpose that laws were made. To attain this security, so essential to the peace, happiness, and prosperity of a people, men in former times banded themselves together, living in cities, armed: it was the origin of the feudal system, which, as the world grew older, and men became more intelligent and far-seeing, gave place to the authority and the will of the people, speaking through, acting through, an organic Government; and this was found the only power equal to give the security requisite. If the State failed in this compact, see the position in which the member of the State was placed. Let the House look at the position in which the Irish landlords were placed now. They could not raise and drill an armed body of men for their protection, as that would be illegal, and very properly illegal. The law professed to give them protection; but if the law in itself was powerless, they were in a worse position than when no law existed. Different diseases and different states of society required different remedies. Look at the different states of society in this country. Look at the law in England. The law here was venerated—it was respected; it was the terror of the evil-doer. It was looked upon as the protector of the weak, and the supporter of all. But turn to the state of Ireland, and how different was the picture! The law there was neither regarded with veneration by the well-disposed, nor feared by the wicked. It was neither the protector nor the avenger. The law which did exist had now to battle with a murderous and bloody one, and the latter was now victorious. He believed that it was in the power of the Government to make the law of the land paramount. There had been similar periods in the history of Ireland when law had vindicated itself. A similar period occurred in 1832, when crime defaced Ireland as it was defacing that country now. He would, with the permission of the House, read an opinion that was then given by one whose legal attainments and whose knowledge of Ireland he believed no one would doubt. He would read to the House an extract from the charge of Chief Justice Bushe, delivered to a special commission which was held in 1832, in Maryport, which would show the opinion that learned judge then entertained of the power of the law. He said—

> "Although this mysterious engine of secret combination, shifted from place to place, continues to be wielded and worked by some invisible hand, from time to time, against one part of the island and now against another, yet those who have had the experience of many years of official and judicial life can assure you that it has never been able to stand against the venerable authority of the laws vigorously and calmly brought to bear upon it."

He (Lord Jocelyn) believed that the Government of this country had reserves at their command. The responsibility of bringing these reserves into operation rested with them. The Government were looked to for the security of the lives of Her Majesty's subjects in Ireland. There were men who were now remaining at their dangerous posts believing that the State would perform its duty. It would be no excuse for weakness and vacillation for the Government to plead the fear of

unpopularity. It was for them to go to Parliament and to ask for those powers which were necessary. If those powers were refused, then the consequences would rest with those who had refused them. The hon. Gentleman the Member for Cockermouth had drawn a picture of the poverty of Ireland, and the state of want in which the people were placed; and he seemed to attribute the crime which existed in Ireland to that poverty and want. He (Lord Jocelyn) did not think that this inference was a just one. Poverty and want were not the parents of crime in Ireland. Chief Justice Bushe says—

"I cannot recollect an instance in my experience of many years in which men have been charged with insurrection where the crime could be traced to want or poverty."

He (Lord Jocelyn) believed that a late respected Roman Catholic prelate, the right rev. Dr. Doyle, had given a similar opinion, which was corroborated by Colonel Miller, who said—

"It is a curious circumstance, confirmed by the testimony of those who are the most experienced in these matters, that the period in which the outrages prevail most extensively are not the periods in which the population suffer the most, either from the effects of insufficient harvests, or from other causes of privation."

They had the experience of last year to corroborate this statement, and to prove that crime was not greatest in the localities where the sufferings were most intense. But there were features in the condition of Ireland that were very peculiar. During a part of last year, that portion where the people were suffering, he believed, one of the greatest afflictions that ever visited Ireland—during the greater part of that period, the forbearance of conduct of the people was most exemplary. There were features in the crimes of Ireland that were very painful. Where murders were being committed, there was no anxiety evinced by the people in the neighbourhood, there was no horror exhibited, and hence the secret tribunals without difficulty obtained individuals to carry out their behests. In the broad day, in the public roads, within a few yards, in one case, of the barrack, the murder was committed, and the murderer walked quietly away. In one instance, in the very next house to where the murder was committed, armed men were seated. Those armed men remained unmoved, although they were within hearing of the shrieks of the victim. The whole character of the human race appeared to be changed in these districts; and no man could look at the present state of things without abhorrence. He did not, however, believe that, generally, the milk of human kindness was changed in these districts; but he was fearful that this Bill would not, as it professed to do, give security to those who might be ready to uphold the law, but who now felt that if they gave evidence it would only be followed by their death-warrant. The instances he had named were not singular—there were many, very many, *ex uno disce omnes*—and who were the individuals against whom these dreadful crimes were committed? What were they? Were they harsh and tyrannical landlords? Were they men of barbarous habits, unmindful of the wants of those around them? No, they were found to be kind, gentle, open-handed, generous, and liberal men. It was very easy for men to say "the sins of the father are visited on the children." Heavy indeed were the evils that were pressing down the Irish landlords. Surrounded with perils, their position had been described in a very able paper in an Irish monthly publication, from which perhaps he might be permitted to read:—

"A new and undisguised war is waged upon the landed proprietors of Ireland; they have adversaries where, in former times, they might have looked for allies. Powerful organs of public opinion have opened a murderous fire upon them. Within a short time they have suffered almost irreparable detriment and loss: they remain without protection in the range of positions occupied by foes who give abundant proof that they will show them neither mercy, moderation, nor justice; and, marvellous to relate, in this desperate emergency, without effectual concert or communication with each other, without regard to counsellor, dependant, or leader, Irish landlords stand opposed to their enemies, and hopelessly await destruction."

That, he believed, was a faithful description of the state of the Irish landlords. Parliament had a right to compel the landlords of Ireland to the performance of their duties. It was just and right; as they knew from holy writ, that there should ever be poor in the land—that provision for their subsistence should be made out of the property of the land. He voted for that measure, for he believed, and did so still, that it would ultimately work most beneficially for the country. He then foresaw how heavy that would bear on many individuals in Ireland; but he knew that as their fathers had sown the wind, that their successors must reap the harvest of the whirlwind. When the measure of which he had just spoken was brought forward,

he entertained the hope that they were laying the foundation of an improvement in the social condition of Ireland. Great changes required time and patience; but there seemed a gleam of hope in the distance, and, although the passage was dark and dreary, it seemed to him that goal was not unattainable. But whilst these duties were rendered imperative, let not the Government be unmindful of its first obligation: the landlord had a right to demand from them that his life and property should be secure. Were the measures now laid upon the table sufficient for the emergency to be met? The monstrous crimes, the peculiar state of society, were unparalleled. The Government had on their side men who knew Ireland well. Did they believe that a paltry Arms Act would be sufficient to meet this frightful system? Did the right hon. Member for Dungarvon (Mr. Sheil) believe that such a measure as this would meet the difficulty? Did he believe that the murderer would find no other and as sure a weapon to carry out his design? Did he believe that the evidence for prosecution would be more easily induced to come forward? Did he believe that conviction would be more readily obtained by a jury? These were the considerations which were urged in 1843, when the right hon. Gentleman the Member for Tamworth introduced an Arms Act. The subject was far too important to be bound up with party feelings. Publishing proclamations and writing letters from the Castle, however able the documents might be, were not sufficient. Active and vigorous steps could alone meet the evil. He admitted the energy of the noble Lord at the head of the Government in Ireland. But they acted unfairly to one who understood the position of that country, in not enabling him to carry out his views. He approved of that part of the measure by which a locality would have a pecuniary interest in bringing criminals to justice; but let the power be given of making domiciliary visits not only by day but by night. [Sir G. GREY: For what purpose?] Let a right be given to search for arms. But, above all, let an inducement be given to men to come forward in support of the law. An hon. Gentleman whom he held in great respect, the hon. Member for Rochdale (Mr. S. Crawford), and other excellent and philanthropic men, deluded themselves into a belief that a thing called tenant-right was a panacea for the ills of Ireland. If by tenant-right was meant the claim of an outgoing tenant to remuneration for capital invested in the permanent improvement of the land, its justice must be acknowledged, and the moral obligation of the landlord, God forbid that any one should deny! But could any one really believe that the legal acknowledgment of such a claim would be sufficient to satisfy a secret council whose laws were written in blood; and if tenant-right meant what misguided men had been too often taught to believe—if it meant to give the tenant a vested interest, not in the capital which he had laid out on the land, but in the soil, such a proposition was no other than open and avowed robbery. It was a proposition which required no argument to refute it, because directly opposed to the rights of property, which were held so dear and so jealously guarded by every member of that and every well-ordered State. Should the time come when that right might be regarded with less respect, he did not believe the authors of the change would be more prosperous, more happy, or more secure. Although they could not observe the difficulties to be contended with unappalled in legislating for Ireland, there was still much to hope in a firm and vigorous determination to maintain the law at all hazards, in the increased energy which, in many parts of Ireland had been displayed in meeting the difficulties with which indviduals found themselves surrounded, in the increased capabilities of the soil, and in the application of a law which he believed would ultimately tend more than anything to facilitate the improvement of cultivation and the application of capital. On the other hand, they had to regret the apathy they found in other parts of the country—they had to deplore the low moral tone of certain districts—they had to deplore that in many instances the relief granted so liberally by Parliament last year had tended to cherish such a dependence upon other aid than their own energies—they had deeply to regret that in some instances—he trusted that they were few—the language of those who should be guides and teachers of their people, the ministers of the people, had tended to inflame instead of soothing the evil passions of their flocks. Those who had guided the helm of affairs had a most difficult course to pursue. Every commission which had been appointed, every individual who had turned his attention to Ireland, had wound up his opinion by stating that until life and property were made secure, no means could be

successful to advance the state or to improve the condition of Ireland. Should the measures which the Government proposed be adequate—should it be their lot to give security to life and property in Ireland, they would have thrown a bridge over an abyss which had hitherto kept Ireland back in the scale of civilisation and improvement—they would have thrown the first plank upon which might pass with security, and upon which would pass, he had no doubt, with rapidity and energy, capital and enterprise, diffusing life and vigour through that hitherto paralysed country.

Mr. R. M. FOX (Longford) said, that the result of a long residence in Ireland had been to convince him that the unsettled state of the law as to landlord and tenant was the cause of that conspiracy which led to the commission of so many crimes; and that the want of employment afforded ready tools for the purpose. He learned that the Bill which Her Majesty's Government intended to introduce would be very impotent in its effects; for, in his opinion, no measure short of the sale of the entire occupancy to the tenant would succeed in removing speedily what he believed to be the cause of agrarian disturbances in Ireland. As to the remedial measures of the Government for the purpose of providing employment for the people, he was surprised that one subject had been forgotten. It formed one of the resolutions submitted to the Government by the deputation of Irish Members, and was of the greatest importance—he meant the subject of the arterial drainage of Ireland. In the county of Kildare, Mr. More O'Ferrall had found, by that means, sufficient employment for the poor of a large barony, without having had recourse to any extra taxation. This plan would render it unnecessary to call for any advances from the Imperial Treasury; because even now there were a large number of individuals who would advance the money upon the security of the ventures paying a large rate of interest; and the only reason why the landed proprietors themselves had not undertaken these works was to be found in that unfortunate apathy which prevailed in all classes in Ireland—that want of self-confidence and self-reliance, which had been engendered in all classes, he believed, by their never having been trusted with the power of exerting their own energies, but having always been subject to the control of others. He wished that the Government would now employ the numerous local engineers who were stalking about the country doing nothing, in ascertaining the opinions of the landlords upon this subject; and he was sure that they would soon obtain as many signatures as would be necessary to commence these draining works. He knew that he should be blamed for this advice; but he believed that it was the only effectual mode of providing employment for the people. He laid no great stress for that purpose upon the repairing of unfinished roads; although good in itself, it would not answer the object of affording immediate employment to the people.

Viscount BARNARD was prepared to give his support to the measure of Her Majesty's Government, but would have preferred that they had brought forward a measure of a more stringent character. It was, in his opinion, much better for the interests of Ireland that the constitution should be outraged for a period, than that there should be no protection for the security of life, or the maintenance of good order. It was impossible for hon. Members who resided at this side of the water, to form anything like a correct idea of the lawlessness which prevailed in Ireland. It might with perfect truth be said, that in certain districts the reign of terror held undisputed away. He had that evening received a letter addressed to a noble relative of his by a gentleman of large possessions in the county Cork. The writer, who was a liberal employer and an excellent landlord, enclosed a copy of an anonymous letter which had been sent to him a few days since, and which was worded as follows:—

"Sir—Take timely notice, that if you do not take care of yourself, and leave off your doings, you and your vagabond agent will be made examples of to the whole country. We are aware of your doings, and will put an end to your life if you do not mind and be better to your tenants."

No better landlord was to be found in Ireland than the gentleman to whom that truculent communication had been sent; and what must be thought of the state of the country in which such a man could experience such treatment? He cheerfully bore testimony to the admirable manner in which the present Lord Lieutenant discharged the difficult and embarrassing duties incidental to his position; but all his exertions would be ineffectual for the repression of crime, unless he were properly supported by the Legislature. If the Bill which was brought forward for the protec-

tion of life in Ireland last Session had passed into law, the necessity for any such measures as the present would have been superseded, and many a valuable life might have been spared. The peasantry in all other districts of Ireland, besides those which had been specified as the principal theatres of disturbance, were for the most part orderly and well-behaved; and it was in their name and for their sake that he advocated the enactment of some measure which would strengthen the hands of the Executive, and render the detection of criminals more certain. He had on all former occasions supported the coercive measures which were brought forward with a view to the attainment of that object; and to the present measure he was also prepared to give his countenance, not, however, without an expression of regret that it was not more stringent.

Mr. P. SCROPE might perhaps feel himself called upon to apologise, as an English Member, for taking part in the present debate, were it not that the time had arrived when the general opinion of the country seemed to be unanimous in acknowledging the truth of the assertion, that the condition of Ireland was a question with which the condition of England was inextricably involved. The evils of a vicious state of society in Ireland were sure to react upon England, and to come back on the English people in the shape of a heavy mulct on the capital of the country. Even in the absence, therefore, of any nobler motive for interference on behalf of Ireland, this country was impelled, by a due regard for her own interests, to make an effort to ameliorate the physical condition of the Irish people, inasmuch as the condition of the people of the one country would eventually and inevitably influence that of the other. It was not possible to permit the Irish people to remain in the same condition in which they had been for the last twenty or thirty years, without dragging down the English population to the same miserable level, by the invasion of Irish poverty, and the contagion, it might be, of Irish crime. With respect to the question under the immediate consideration of the House, he would take leave to say that this was not the first occasion on which he had mingled in similar discussions. Like the noble Lord opposite (Lord Barnard), he had taken part in the discussions on the various Coercion Bills which from time to time had been brought forward by different Governments since he had the honour of a seat in that House; but, unlike the noble Lord, he had invariably opposed them. In the years 1834 and 1835, the earliest periods in which it was possible for him to have so acted, he had recorded his opposition to the principle of coercion by dividing the House, on a resolution which was substantially as follows: That Parliament would not be justified in passing any law to increase the powers of the Executive for the repression of crime, unless, at the same time, it distinctly pledged itself to take into consideration measures to remove the causes of those crimes; unless it offered security to the occupying tenants against harsh ejectments; unless it afforded to the honest and industrious labouring man the means of living by his industry, and removed that dread of extermination and consequent destitution which was the prevalent and fruitful source of agrarian crime amongst the Irish peasantry. To the measure at present under consideration he was not prepared to offer opposition, for he shared in the feeling which seemed to be entertained by many, that it was of a milder character than might have been expected; but at the same time he could not forbear from giving expression to his conviction, that unless it were accompanied by some measure of a remedial character, it would prove ineffectual in attaining the end at which it aimed—the security of life and property in Ireland. If he thought that those most desirable objects could be ensured by means of Coercive Bills, he should never have resisted them; but he had opposed them because he was convinced in his soul that it was idle and preposterous to expect any such consequence to follow from such a course. There was but one way to give security to the life of the landlord in Ireland, and that was by taking care that security should be given to the life of the tenant. He was happy to find that it was in contemplation at length to call the attention of Parliament to the consideration of measures which would tend to promote that great end; for he was convinced, that until some means were devised for securing the life and property of the poor man in Ireland, it was folly to think of protecting the rich. That House took a step in the right direction last year, when they passed the new poor-law. Surprise had been expressed by some Members that that law had not contributed to the suppression of outrage in Ireland, and to the establishment of a better order of things;

but it should not be forgotten that the law had only been in operation for a couple of months, and could not be said to have as yet had a fair trial. Indeed, it could scarcely, with propriety, be said to have as yet come into operation at all. It was irrational to expect that feelings which had been engendered in the souls of a suffering people by centuries of oppression, should be rapidly effaced, and should suddenly disappear; but he certainly did entertain a sanguine hope that the poor-law would eventually produce a most beneficial effect in Ireland, and that the poor would recognise in it the solicitude of the Government that their lives should be protected. That this feeling would gradually spring up and gain vigorous growth in the country he had not the slightest doubt; but it should be borne in mind that the poor-law only affected to ensure the preservation of the lives of the most destitute class in the country. The crimes of which an account so painfully circumstantial had been given that evening were, for the most part, if not perpetrated, at least designed, and sympathised in by a higher and larger class than the poor-law would affect. The occupying tenants were at the bottom of all the agrarian outrages in Ireland. Was the House prepared to protect the property of the occupying tenants? Would they pass a law to enable one million of those men to have some security for the continued enjoyment of their holdings, which they wished to retain, in order that they might not sink into that class of destitute paupers for whose relief the poor-law was designed? If the Legislature were not pepared to do this, it was idle to think that they should be enabled to throw a shield around the landlords by any such enactment as the present. It was the dread of degenerating into the pauper class which prompted the tenants to commit such crimes. It was, in fact, the dread of absolute destitution. The present state of Ireland was looked upon by some as a paradox, a problem, and a puzzle; but, in reality, it originated from what they all knew to be the constitution of human nature. The tenant's antagonism with his landlord was literally a struggle for the means of existence—for the common necessaries of life. The means of livelihood in Ireland were to a great extent identified with the possession of land; and it was the terror of losing that land, and being left to abject destitution, that worked like madness in the brain of the peasant. It was not a knife and fork question—nor a bread and cheese question, nor now a potato question (for the potato crop had to a great extent disappeared)—it was literally a question involving the means of existence which stimulated the great masses of the peasantry to combine in associations, and carry out laws which they passed in those associations by a series of outrages directed by regular sentence at a midnight tribunal, and executed by the lowest class of ruffians hired for the purpose. By a reference to the concentrated digest of the evidence collected by the Devon Commission, it would be seen that the result of the elaborate inquiries instituted by that Commission into the cause of agrarian outrage in Ireland was the discovery that they had their origin in the incessant endeavour of the people to convert the possession of land into an indefeasible title. It was said that those crimes were confined to certain districts. That might be true in the present instance; but it was equally true that there were few, if any, districts in which they did not from time to time break out when the same causes operated to produce them. The outrages broke out sometimes in one place, and sometimes in another; and the excitement to their breaking out was generally the prevalence of some series of ejectments by which an example was made by some landlord who wished to clear his farm of the occupying tenantry. The tenantry in the neighbourhood then took the hint, and thinking that they would be ejected also, they determined in those secret conclaves of which he had spoken to make an example of the landlord or his agent, or the party who came into the farm. They thus endeavoured to bring about such a system of intimidation as would prevent the spreading of the system of consolidation, for that was the way this system of outrage took its root. But there were some counties in which disturbances were not heard of at all, where the main objects for which this system of intimidation was created by the tenantry in Tipperary was fully carried out—he spoke of the whole province of Ulster—through the kindly feelings of the landlords, and those privileges could not be taken away or refused without the danger of agrarian outrage. If the same security were granted to the tenant in Tipperary, that county might be as tranquil as Down or Armagh. He (Mr. Scrope) wished to take that opportunity of expressing his conviction that it was only by the conces-

sion of privileges throughout the country similar to those enjoyed in Ulster, they could prevent those offences. He could not understand how any person could feel alarm at the proposition to establish such a system of tenant-right throughout Ireland, when it was found to be attended with so many advantages to the landlords of Ulster. It had answered so admirably in the province of Ulster that he could not understand how it was looked upon with so much horror by the landlords in other parts of the country.

SIR R. PEEL said: I should be unwilling, Sir, to let the first night of the debate on the proposal of Her Majesty's Government to pass without publicly declaring that it is my intention to give to that proposal a cordial support. I cannot resist the force of the appeal which the right hon. Gentleman has made to the House. The right hon. Gentleman has told you that Her Majesty, in the Speech from the Throne, has recommended you to take into consideration the state of Ireland with reference to the prevalence of atrocious crimes, to the impunity of the offenders, and to the inadequacy of the existing law to give protection to life and property. The right hon. Gentleman has justly said that this House, without committing itself to the details of any particular measure, has, in an unanimous Address to the Throne, conveyed to Her Majesty the assurance that it will take this subject into immediate consideration. The right hon. Gentleman has said that the Lord Lieutenant of Ireland, and Her Majesty's Government, charged with the heavy responsibility of giving protection to the subjects of the Queen, in return for the allegiance which the law exacts from them, consider the state of the law to be imperfect, and that on their responsibility they must demand additional powers. The right hon. Gentleman has fortified the claim, thus made on the responsibility of the Executive Government, by reciting details of crimes which can leave no doubt on the mind of any man that it is our duty to attempt, at least, to arrest the progress of one of the vilest and most sanguinary tyrannies that ever existed in any country having a claim to be called civilised. Why cannot I resist the force of the appeal thus made by the right hon. Gentleman? Because it is precisely the same appeal which some two years since I myself made, and made in vain. Now, Sir, let me not be mistaken. I most fully admit that measures of this nature are no effectual remedy for the social evils that prevail in Ireland. Nay—for I will conceal none of the objections—it is always with great reluctance that I have consented to propose, or that I consent to support such measures, because there is this evil attending them, even with reference merely to the peace and tranquillity of the country, that it is impossible to enforce them without, in some degree, diminishing confidence in the efficacy of the ordinary law, and paralysing its operation. But still, when I hear, upon the authority of the Government, and when I find the statement confirmed by evidence, that there exists in Ireland an organised conspiracy—employing assassins, in order, without reference to age, sex, property, or condition, to deprive of their lives the faithful and unoffending subjects of Her Majesty—I say the continuance of this conspiracy is such a scandal, that none of the objections that may apply to the measure appear worth consideration, compared with the evil of apparent connivance at that scandal. And although I think this Bill is no permanent remedy for the social evils of Ireland, yet I, for one, will not postpone my consent to this measure till I hear what are the other measures, what are the more permanent remedies, the Government has to propose. I will enter into no parley with assassins. I say it is our duty, if we wish to lay a foundation for the permanent improvement of Ireland, to do all we can to preserve the lives of Her Majesty's faithful and loyal subjects in that country; it is our first duty to paralyse the arm of the assassin. Having done this, let us apply our deliberate consideration to other measures of a different character, calculated to improve the condition of a part of the empire which ought to be as dear to Englishmen as England itself. No evil can afflict Ireland that will not react on this country; whether it be want of employment, misery, or poverty, depend on it the evil effects of these things will not be limited to the soil of Ireland; they will react on the state of society here, on the social position of the English labourer, and the remuneration he gets for his toil. I feel all these things strongly and acutely; yet I much fear that any one who expects immediate results from measures of improvement, well intentioned as they may be, takes too sanguine a view of the power of legislation to remedy evils of

long endurance. The length of the time they have lasted is no doubt a reason for the immediate consideration of a remedy; but it is also a reason for distrusting the immediate efficacy of legislation. Take the remedies generally proposed. One is emigration. At first sight it seems a simple matter to transfer the superabundant population of one part of the empire to a colony in want of additional labour; but when you address yourselves practically to the subject you feel all the difficulties of it; you find that to transfer any such portion of the population of Ireland to a distant colony, as shall tell on the social state of Ireland, cannot be done without great expense and much preliminary preparation. Then there is the measure on which the hon. Gentleman (Mr. Scrope) has dwelt so much—namely, the improvement of the relations between landlord and tenant. The hon. Gentleman has laudably directed much of his attention to that subject, has adverted to the good effect of the tenant-right in Ulster, and contrasted the state of things in that province with the condition of Connaught and Munster; but there are other causes for that distinction, and the hon. Gentleman must not rush too suddenly to the conclusion that the legislative introduction of the usages that exist in Ulster into Connaught and Munster would at one produce there the same effect. There is another hon. Gentleman who is equally entitled to commendation for the attention which he has given to this subject, I allude to the hon. Member for Rochdale (Mr. S. Crawford), who has in his own case set an example which many landlords might well imitate. I assent to the justice of the principle which I understand him to contend for. I think that the tenant—particularly in Ireland, where he has to bear expenses which the tenant in this country does not bear, such, for instance as the erection of the place in which he has to live—I admit that the tenant who has improved the property has a just claim for compensation against the owner of the land. I have heard it, however, contended in this debate that the general application of the tenant-right of Ulster will be no remedy for the evils of Ireland; that you must go further; that you must give the tenant an absolute right in the occupancy, without reference to any improvements he may have made. I must say that a law establishing such a right, though it might produce a temporary lull for some two months on the part of those immediately benefited by it, would be calculated more than anything else to shake confidence in the security of property, to diminish the stimulus to improvement, and would be as fatal to the well-understood interest of the tenantry as of the proprietors. There ought to be no distinction in principle between the law of property in England and the law of property in Ireland, with respect to this tenant-right. We admit here the justice of the principle, that the tenant improving his land ought not to be dispossessed of it, and made to forfeit the money he has laid out in improvements at the mere caprice of the landlord. I think that protection to the tenant to be just in England, and just therefore in principle in Ireland also; but no man who considers this question, and desires to make it the subject of direct legislation, can enter on the discussion without being soon aware of the very formidable difficulties in the way. Only last Session, there being a general concurrence in the justice of the principle acted upon in Lincolnshire—the principle, I mean, by which the tenant, being dispossessed of his farm, has a right to the value of the unexhausted improvements he has made on his land—when an attempt was made to introduce by law that principle throughout England, we know how great were the difficulties of legislation on the subject. We must expect to encounter equal difficulties in the case of Ireland, even with respect to the limited view of tenant-right taken by the hon. Gentleman who spoke last, namely, that the tenant should have the right to recover for improvements made by him on the soil. They are difficulties which ought not to make us despair, but ought, at any rate, to render us not too sanguine as to the results of our legislation. So, with respect to many other matters deeply connected with the social state of Ireland: feeling, as I do, the vast importance of giving them early consideration, I am yet not sanguine enough to hope that the best devised measures can tell immediately on the present condition of Ireland, or can relieve us from the duty of taking immediate steps with respect to assassination and the conspiracy of assassins. It is not my intention, Sir, in giving my support to the Government, to make any reference to the bygone transactions of 1846. It has been said by an hon. Gentleman, that it is due to the late Government that you should resist this measure, because you defeated a similar

measure when they were in office. The best reparation you can make to the late Government is to pass this law. As for reparation in any party sense, so far from wishing to see the passing of this measure in any way urged against the Government as a triumph in reference to any proposal made at another time, I utterly disclaim entertaining such sentiments. The state of society in Ireland is the paramount consideration; and all party disputes are utterly unworthy of consideration. The right hon. Gentleman opposite has proposed a measure, which, on the responsibility of the Government, he thinks adequate for the purpose. We must regard the decision of the Government as almost final in this respect. A popular assembly respresenting the people ought to be unwilling to force on the Government measures of coercion which they who are responsible for the public peace do not think necessary for its preservation. I wish to observe, however, that there are parts of the proposed measure which I do not understand. I do not understand what is to be the nature of the tribunal before which, in a proclaimed district, offenders are to be carried. I understand the right hon. Gentleman to propose that the Lord Lieutenant of Ireland should have unlimited power to proclaim districts in Ireland corresponding with the limits of counties or with smaller territorial divisions. Then I understand that the Lord Lieutenant is to have a double discretionary power in respect to the possession of arms—first, a power to interdict the carrying of arms except by parties named in the Act or especially authorised. [Sir G. Grey: That would necessarily follow from the proclamation.] Secondly, a power to prevent the possession of arms, and to authorise the search for them by day. I will take the case of a witness called on to attend a trial, in a district where the sympathy is with the murderer and not with the murdered man. I take it for granted that the Lord Lieutenant would allow that witness the possession of firearms—that that is a case in which he would exercise his discretion as to permitting the use of arms. In the case of carrying arms or of possessing arms in violation of the proclamation, the right hon. Gentleman has not said whether the offence is to be tried by the ordinary or by special tribunals. [Sir G. Grey: By the ordinary tribunals with a right of challenge.] I am also bound to say that I think the state of the law with respect to the possession of arms, after this Bill has been passed, will be unsatisfactory. In districts proclaimed by the Lord Lieutenant, the population may be disarmed, either partially or totally; in the latter there will be a power of domiciliary visits, and of depriving all parties of the possession of arms, except those who are specially permitted to retain them; but I am afraid that, unless the permissions to retain arms are very wide, you may create great insecurity in some of the disturbed districts, There can be no doubt that many persons in the lower ranks of society are now in the possession of arms for no dishonest or illegal purpose, but *bonâ fide* for the purpose of offering that resistance which is the most effectual check upon the disturber of the public peace. The shooting of one man in the act of violating the law by the brave, determined occupier of a house, has more effect in repressing outrage than half a dozen executions. To disarm, indiscriminately, all persons in a proclaimed district, except a privileged class, will not, I am afraid, have the effect which, as I am sure, the right hon. Baronet is desirous that the Bill should have—to afford additional protection to life and property. In certain districts, proclaimed by the Lord Lieutenant, there will be a general disarming of the people. In the adjoining districts, not being proclaimed, there will be no prohibition, no restriction whatever, as to the indiscriminate possession of arms by all persons. Now I must say that there are many districts of Ireland in which repeated murders may not occur, yet in which there is no justification whatever for permitting the perfectly unrestricted possession and parade of arms. The Lord Lieutenant will have the power of issuing his proclamation disarming the inhabitants of certain districts; but it would be infinitely better to have a general and permanent Act regulating the possession of arms, applicable to the whole country, rather than to provide that in certain districts, to be named at the discretion of the Lord Lieutenant, the possession of arms is to be totally prohibited, while in other districts, almost as bad, and immediately adjoining the proclaimed districts, the people will not only have the power to keep arms in their houses, but to parade those arms in the face of the authorities at mid-day, and to carry on those shooting operations to which the police-constable of whom we have heard referred. The state of the law in this respect, under the Bill before

the House, will be very imperfect and unsatisfactory; and I hope the right hon. Baronet (Sir G. Grey) will not abandon altogether the intention of proposing an Arms Act, which, with as little vexation as possible, may regulate generally the possession of arms throughout the country. What will be exactly the state of the law with respect to Whiteboy offences under the proclamation, it is impossible to say, without minute reference to the Whiteboy Acts; and I do not think that this is the occasion for entering into those details. I consider that the right hon. Baronet has offered a full vindication of this measure. He has proved that there exists in Ireland a degree of insecurity for life which ought not to be permitted to continue. I cannot say whether the Bill he proposes will be efficacious or not; but I earnestly hope, that if before Parliament may separate there should be reason to believe that this Bill will not be efficacious, no fear of taunt will prevent him from appealing to Parliament to strengthen the hands of the Government. My firm belief is, speaking from the experience of thirty or forty years, that there are certain districts in Ireland, parts of the county of Tipperary, for instance, in which there is such an inveterate, such an hereditary, if I may so say, disposition to commit murder—that some decided permanent effort must be made to check the evil. So long since as the year 1814 I detailed cases of organised conspiracies to murder, directed against gentlemen of the highest respectability, exactly similar to those which have been laid before the House by the right hon. Baronet. I recollect perfectly well a case in which, on each of three different roads approaching the town of Clonmel, five assassins, hired by a party of some property were stationed in order to insure the death of a magistrate of the highest respectability. By one of those roads this magistrate travelled, and by the five assassins stationed on that road he was murdered. It appeared that the assassins had been hired at two or three guineas a piece to commit the deed. A reward of 1,000*l.* was offered to any person but those who actually fired the shots, for the conviction of each of the assassins. The person by whom they were engaged laid open the whole plot, and claimed the reward. Two of the assassins whom he employed were convicted on his evidence; and, in consequence of the assurance given by the Government, I paid that man 2,000*l.* But it is quite unfair to impute to Ireland generally crimes of this nature; it is most unjust to judge of the general disposition of Ireland from the iniquity of particular districts. With respect to the great towns of Ireland—for instance, Dublin, Limerick, and Cork—where the people are collected together in large bodies, they seem to be even more submissive to the laws, more obedient to authority, than they are in this country; and the same may be said of the inhabitants of many counties. In many districts of Ireland the people are more peaceable, more resigned, more patient under privation, than the people of this country: nothing can be more unjust than to judge of the general character of the people of Ireland from those plague-spots which have been mentioned. But these crimes are so inveterate in certain districts, that I greatly mistrust the efficacy of any mere temporary law for their suppression. I greatly doubt whether it is not absolutely necessary to subject such districts to a permanent discipline. I do not think it would be necessary to have enormous penalties or unconstitutional powers; but I would have new police districts, I would have the strictest registry of every person within them, and I would subject those districts—as the right hon. Baronet proposes—to the expense entailed by extraordinary measures; though when the people are suffering, as is at present the case, from extreme poverty, I do not know whether this step would afford any very effectual remedy. I would also have a detective police, as well as a protective police. I consider that this is what you want in Ireland. You have an excellent police for defeating powerful combinations, but I think you are wanting in a detective police. I think you ought to have a police especially engaged in the detection of these offenders. I think you should also give the most complete assurance to witnesses that, if they aid you in carrying the laws into effect, they shall have valid protection. I know how difficult it is to deal with this question. You must take care not to hold out the temptation to unfounded accusations; but when a man who comes forward to give his evidence in aid of the law is doomed, if not to murder, at least to certain ruin, there is a discouragement to the due administration of the law for which it is almost impossible to find a remedy. Even if you send such a witness to Canada, or to some of our other

colonies, I fear that, with the great facilities of communication which now exist, you cannot give him the protection he needs. He will probably be a marked man in the colonies, and still exposed to the vengeance which he hoped to escape by abandoning his native land. These subjects, as it appears to me, deserve the serious consideration of the Government; but the immediate necessity is for the passing of a law directed against murder, and conspiracy to murder, in Ireland. I will quarrel with none of the details of this measure. I will give it throughout my cordial support; and I trust that those who opposed the measure brought forward in 1846, will not think it incumbent on them from any consideration for the late Government, to withhold their support from the Bill now before the House.

Mr. MAURICE O'CONNELL was understood to say, that although the right hon. Baronet who had just resumed his seat informed the House that he had brought in Coercion Bills for Ireland in 1814 and 1846, he had only just discovered the want of remedial measures. It was only just now that the right hon. Baronet had thought of such a policy, and for the first time in his life he had mentioned the subject of tenant-right in Ireland. Had he thought of tenant-right in 1814, the case of Ireland might have been far different at the present day. He hoped that if the Government got leave to bring in this Bill, they would accompany it as early as possible with a sound and equitable Landlord and Tenant Bill. He should offer no other opposition to the bringing in of the Bill. It trenched so little upon the constitution, that he should not deem it his duty to oppose it, although he should most certainly not vote for it. In the list of defects which the hon. Member for Tamworth enumerated in the Bill was one—that it was one not of a permanent character. The Secretary of State for the Home Department did not mention the term of duration, but he clearly meant the Bill to be of a temporary character. If he accompanied the measure during the present short Session with a good Landlord and Tenant Bill, he would find no necessity for continuing the Coercion Act. He hoped that the duration of the Bill would be limited to the shortest period.

Mr. CALLAGHAN, as an old representative, and one whose political opinions had generally coincided with those of the present Government, congratulated Ministers that they had escaped from the dangerous trap which he thought had been laid for them. He feared that coercion for Ireland would have been proposed in order to gratify the prejudice of England. He heard with great astonishment from Lord John Russell, that his Lordship was prepared with a Coercion Bill; but he could see nothing in the present measure to justify that appellation—he could see no violent interference with the principles of the constitution. The search for arms in the hands of officious policemen might create a little disturbance; but he hoped that the most stringent clauses of the Bill would never be brought into action. He should go back to his constituents with infinite satisfaction and tell them that they were not about to be visited by any measure of great severity.

Mr. DISRAELI said: I had not intended, during this debate, to trespass one moment upon the attention of the House; but, with every wish to remain silent, I cannot, after the speech which we have just heard from the right hon. Baronet the Member for Tamworth, but feel it due to myself and to those who opposed his Irish Bill in the last Parliament, to make one observation, that the present House of Commons may understand the position in which we stand towards the House and each other with regard to the present Bill. I will not say—though it would be a legitimate reason for the course which we took—that it arose from a general want of confidence in those who were then the responsible advisers of the Crown. We did not merely oppose the Bill of the late Government for regulating the possession of arms in Ireland because we had no confidence in them. On the contrary, though that would have been a perfectly legitimate ground of objection, it was not that which we used; for I myself and other Members of the last Parliament objected to that measure, not because it was brought in by the Government then in power, but because we thought we had a right to assume that it was introduced with no serious intention of carrying it, and because we took exception to several of its provisions. I therefore wish the House to understand the differences which subsisted between the right hon. Baronet and the last Parliament on the subject of his measures of Irish legislation; and I desire especially to call attention to the difference between the policy towards Ireland of the present Government as contrasted with that of the right hon. Baronet. At the commence-

ment of the Session of 1846, the Administration of the right hon. Baronet the Member for Tamworth announced to Parliament and to the country that life and property in Ireland were in imminent danger. I hope the House will recollect—though many are now present who did not belong to the late Parliament; but they, I trust, even then took too strong an interest in the condition of the country to remain ignorant of what was at that time passing in this House—they, in common with other Members, will, I hope, remember that Parliament was in a hurried manner called together, and we were informed that life and property in Ireland were in imminent peril at the time of our assembling; yet the Bill of the right hon. Baronet for giving protection to life and security to property in Ireland was not introduced for months after the meeting of Parliament—was not laid upon the table of this House till the month of June. [Mr. HUDSON: It was brought down in the month of April.] It was not before this House for any purpose of practical legislation till the month of June. That Session of Parliament, as we all remember, was occupied with business of great importance; but however important the affairs which engaged its attention, they could not have been more important than the protection of life and property. Nor did we who opposed the Bill resist it merely on account of the delay of the late Government in the conduct of that Bill, though that of itself supplied a fair ground of suspicion; on the contrary, we had other and more important objections. My noble Friend the Member for King's Lynn, who is, I regret to say, prevented by indisposition from attending here this evening—that noble Lord took the lead in opposing the Bill; he denounced it as a Curfew Bill—as a measure which would compel men to stay within their dwellings after sunset. Yet when he examined the analysis of crime, which was laid on the table as the foundation of the law, he observed that the majority of them were noonday assassinations. This objection was then often urged, and it was never satisfactorily answered. In my opinion, it is to the credit of the present Government, that as they feel the necessity of interfering, they have done so early in the Session, and, as I believe, with a sincere intention to pass the measure. It is not for me—and I agree with the right hon. Member for Tamworth, that it is not for any one sitting at this side of the House—to urge the Queen's Government to advance in an outrage upon the constitution. If the present measure be not strong enough for the occasion, on the Government, and on the Government alone, rests the responsibility; and I need not remind them that that responsibility is not a light one. I must say I am happy to find that, after all we have heard of the state of Ireland, an addition of 200 constables may secure the peace and prosperity of that country. But I have no doubt that the Government have well considered the subject. I have no doubt they have great confidence in the officer who has to administer the powers given by this law. It is not our part, under any circumstances, to urge the Government to exceed the powers which they deem necessary for attaining the purpose which we all desire; and I am glad to find that there will be almost a unanimous consent in supporting the measure which they have introduced. All that I have risen for is, to let it be clearly understood that the passion of party did not induce us, even for the purpose of terminating the existence of an Administration which we did not wish to endure—that nothing but a legitimate consideration induced us to oppose the measure of the late Government. ["Hear!"] I will answer that ironical cheer; I am not saying that we did not embrace legitimate opportunities, which every Gentleman and every party would; and if there be any party in this House holding the existence of a Government to be generally injurious to the country, I should think the whole character of our constitution was lost if that party did not exercise its power upon a legitimate opportunity. I say that that was not a factious opposition, for the reasons which I have given you: first, that the measure that was introduced by the late Government, which, at the commencement of the year, announced as the basis of its legislation that the lives of Her Majesty's subjects were in danger, was not really proceeded with until six months after Parliament had been sitting; and, secondly, that that measure contained a principle of legislation which we considered unnecessary and arbitrary.

SIR G. GREY expressed his gratification at the spirit and temper in which the proposed measure had been received, and begged to thank those Gentlemen who had come down with an intention of opposing the introduction of the Bill, but had consented to allow it to be brought in that

evening; because he felt its efficiency would be greatly promoted by the promptitude with which it would be adopted by Parliament. With regard to the question of the hon. Member (Mr. M. O'Connell), it was the intention of the Government to propose that the Bill should be in force until December 1st, 1849, and to the end of the then next Session of Parliament. With respect to the observations of the right hon. Baronet (Sir R. Peel), he agreed that great advantage resulted from certain parties in Ireland, small farmers for instance, retaining arms for the purpose for which he believed they had acquired them, namely, self-defence; and he thought he had stated, that while with regard to carrying arms abroad, the license would be the exception, it would be given far more extensively in regard to retaining arms in the house. With respect to a detective police, the attention of Lord Besborough was called to that, among other subjects, early in this year, before that fatal illness which had deprived the Government of his cooperation and the country of his services; and under his administration the organisation of a detective police was commenced, which had been carried on by the present Lord Lieutenant, who had lately reported favourably of its efficiency. The Government had no intention of proposing a revival of the former Arms Act; but at the same time some regulation with regard to the indiscriminate possession of arms, as applicable to all Ireland, was under the consideration of the Lord Lieutenant, who had brought the subject under the attention of the Government. He hoped the House would understand that, by the present Bill, which contained provisions more stringent than would be suitable for any general measure, the Government were not precluded from proposing a measure of that kind if circumstances should render it necessary. With regard to the Bill proposed by the right hon. Baronet in 1846, there was an Arms Act then in force, and the powers then asked for were powers, not only in addition to the ordinary law of the land, but to the Arms Act, which did not expire until the end of the Session of 1846. The present Bill was proposed with the earnest hope and the belief that the sanction of Parliament to this measure would so far strengthen the hands of the Government as to enable them to afford protection to life; if this measure should fail, and if crime and outrage, notwithstanding this Bill, should continue to prevail to a large extent in Ireland, the Government would not shrink, for any fear of those taunts referred to by the right hon. Baronet, from coming to Parliament, and asking for such further powers as would enable them to perform the duty which they owed to their Sovereign, and to the people, who were entitled to such protection.

Mr. WAKLEY understood that the hon. Member for Nottingham (Mr. F. O'Connor) intended to divide the House on the first reading of the Bill. That division might place many Members in a very unfair position. He did not understand from the Government that there was any distinct promise of remedial measures before thes econd reading of the Bill. The Government were silent. He should, therefore, consider it his duty to move an Amendment—

"That it is not just to the people of Ireland to enact any Bill of a coercive character without at the same time enacting measures with a view to give permanent relief."

The Government ought not to object to that. He did not complain of their conduct with regard to Ireland since they had been in office; he never recollected any Government that had acted with a more kind or generous feeling with respect to Ireland. In many respects—in fact, in nearly all, they were entitled to the gratitude of the people of that country. But Parliament was assembled now specially for taking the state of Ireland into consideration, and the Government had come forward with a coercive measure, and a very indistinct promise with regard to remedial measures. What was to prevent them from introducing the series of Bills at once? The tone and spirit of the right hon. Baronet (Sir G. Grey) had been admirable; of all that the right hon. Baronet had said, he approved; but before voting for such a Bill as this, he had a right to know what were the other measures of a remedial and soothing character which the Government meant to introduce. But there was no such statement made; no description was given of those measures — no explanation with regard to the propositions they were to contain. The hon. Member for Rochdale (Mr. W. S. Crawford) introduced as long ago as 1836 a Bill with regard to landlord and tenant; but it received very little attention, even from Irishmen: several times he was counted out. But the principle of that Bill was now acknowledged; even the Government was supposed to approve the principle. At the same time, the landlord and tenant ques-

tion had been a puzzling one to him (Mr. Wakley); he used to think that what was called "tenant-right" appeared to be landlord robbery; but Gentlemen seemed to like it; and if they were pleased with it, why should they not have it? So with this Bill: this was a matter of shooting Irishmen in Ireland; and if that was an amusement which they relished, why should not they have it? Occasionally, however, mistakes were committed, and Irish women were shot; and as a matter of gallantry, he was bound to protect them from any such inflictions for the future. He did not understand what was going on in Ireland; but the Government were in possession of all necessary information to enable them to bring forward some well-defined and clearly-understood measures. But, as this had not been done, he did not choose to give his vote for a Bill which he did not altogether approve. The Bill might, under the circumstances stated by the Government, be perfectly justifiable. Crimes in Ireland appeared to be of so horrible a character that there was scarcely any power which Government could ask for that he would not support, provided he saw at the same time propositions laid before the House in the shape of Bills that would strike at the very root of the evils in that country, and which would place society upon a perfectly new footing. In the absence of any such measure, he felt bound to press his Amendment

Mr. BROTHERTON observed, that whatever his hon. Friend the Member for Finsbury might say as to the course intended to be taken by the hon. Member for Nottingham placing him in an awkward position, he confessed that the Amendment just proposed by his hon. Friend was calculated to place him in a much more awkward dilemma. He, like his hon. Friend, had opposed every Coercion Bill that had hitherto been introduced since he had been a Member of that House; and he always stated, as his reason for doing so, that in his judgment conciliation had never yet been tried. Coercion had always been had recourse to; and he never would support coercion until he saw a disposition to do justice to Ireland by promoting remedial measures. He was happy on this occasion to hear the sentiment expressed by the Irish Members, that this was a Bill not to be characterised as former Bills had been. He had great confidence in the discretion of the Lord Lieutenant of Ireland; and he had equal confidence in the noble Lord at the head of Her Majesty's Government that he would fulfil the promise he had intimated to the House, by introducing measures of conciliation for promoting social improvement in Ireland. There would need no coercion in Ireland if people would only act upon proper principles. But no measures of improvement could be introduced until there should be security for life and property. Whatever might have been his former course in respect to such measures as the present, he was happy to feel that he had the moral courage to support a proposition which he believed was calculated to promote the wealth and happiness of the community, and he should certainly vote for the introduction of the Bill.

Mr. REYNOLDS moved that the debate be adjourned. ["No, no!"]

Lord J. RUSSELL understood from the whole previous course of the debate, that the House was anxious to come to a division upon the main question as to the introduction of the Bill that night. Several hon. Members who were at first prepared to oppose even the introduction of the Bill, afterwards declared, upon hearing the statement of his right hon. Friend (Sir G. Grey), that they did not know how far they should carry their opposition to the measure itself; but that they were at least ready to allow the Bill to be introduced. If that were the case, he did submit to the House that to adjourn the debate, not till to-morrow (because it would be most inconvenient to postpone the business which was specially appointed for to-morrow), but to a future day, would be defeating the object for which the House had assembled, and would prevent the Irish Members from giving that consideration to the Bill which was most desirable. He did, therefore, hope, that if the hon. Gentleman persisted in his Motion, the House would agree that the debate ought not to be adjourned, but that the Bill should be introduced.

Mr. REYNOLDS was quite willing to withdraw his Motion, reserving to himself the privilege of opposing the Bill in any future stage.

Mr. M. J. O'CONNELL hoped the same rational course would be adopted by the hon. Member for Finsbury. He joined with the hon. Member for Salford (Mr. Brotherton) in appealing to the hon. Member to withdraw his Amendment, which would certainly place him (Mr. M. J. O'Connell) in as awkward a position as it did his hon. Friend. If such an Amendment as that proposed by the hon. Member for Finsbury were brought forward on the

second reading of the Bill, or on going into Committee, he, as an Irishman, and as an enemy to all coercion, would cordially support it. In fact, it would be a matter of consideration with him, whether it would not be his duty to move such an Amendment in another stage of the measure. But to delay the discussion in order to know what other measures were about to be introduced, was not only putting the Irish Members in an invidious position in that House, but was placing them in a most unpleasant position before the country. He therefore hoped the hon. Gentleman would concur with those hon. Members who, like himself, did not altogether approve of coercion in the abstract, but were nevertheless willing to allow this Bill to be placed before the country.

Mr. S. CRAWFORD said, that he and his hon. Friend (Mr. Wakley) felt themselves in a position of embarrassment, in consequence of its being the intention of the hon. Member for Nottingham to divide the House on the original question. They felt that if they did not bring forward this Amendment, and yet opposed the hon. Member for Nottingham, they would be declaring their decided approval of the Bill. He considered it was necessary to guard his vote, by not giving it in favour of this Bill without some knowledge of the remedial measures that were to accompany it.

Sir G. GREY assured the hon. Gentleman that he would not be in the least pledged to any opinion in favour of the Bill by not opposing its introduction now. His hon. Friend the Member for the University of Oxford (Sir R. Inglis) the other night assented to the introduction of a Bill by the hon. and learned Member for Youghal (Mr. Anstey), although he entertained the strongest objection against the measure, reserving to himself the right of opposing it on the second reading.

Mr. MAURICE O'CONNELL would ask the hon. Member for Finsbury to withdraw his Amendment; and would say this much to him—that if before the second reading a Bill on the subject of landlord and tenant, and other remedial measures for Ireland, were not brought forward, he should not only be prepared to agree with the Amendment of the hon. Gentleman, but, as the saying was, would "go the whole hog" with him.

The House divided on the question, that the words proposed to be left out stand part of the question:—Ayes 233; Noes 20: Majority 213.

[First Division. It is unnecessary to repeat the lists, and we have designated the absentees on the second Division.]

List of the Ayes.

Adair, H. E.
Adair, R. A. S.
Anson, hon. Col.
Attwood, J.
Bagshaw, J.
Bailey, J.
Baines, M. T.
*Baring, H. B.
Baring, rt. hon. F. T.
Barnard, E. G.
Barrington, Visct.
Beckett, W.
Bellew, R. M.
Benbow, J.
*Beresford, W.
Berkeley, hon. Capt.
Bernal, R.
Bernard, Visct.
Birch, Sir T. B.
Blackall, S. W.
Bourke, R. S.
Bowring, Dr.
Bramston, T. W.
Brand, T.
Bremridge, R.
Broadwood, H.
Brockman, E. D.
Brooke, Lord
Brotherton, J.
Brown, H.
Bruce, Lord E.
Buller, Sir J. Y.
Bunbury, E. H.
Burke, Sir T. J.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Carter, J. B.
Castlereagh, Visct.
Caulfield, Col.
Cavendish, hon. C. C.
Cavendish, W. G.
Chichester, Lord J. L.
Clay, J.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Cockburn, A. J. E.
Codrington, Sir W.
Collins, W.
Corbally, M. E.
Cowper, hon. W. F.
Cripps, W.
Curteis, H. B.
Davie, Sir H. R. F.
Deedes, W.
Deering, J. P.
Disraeli, B.
Dixon, J.
Dodd, G.
Drummond, H.
Duckworth, Sir J. T. B.
Duff, G. S.
Duke, Sir J.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Edwards, H.
Evans, J.
Evans, W.
Farrer, J.
Ferguson, Sir R. A.
Fitzpatrick, J. W.
Fitzroy, hon. H.
Fitzwilliam, hon. G. W.
Foley, J. H. H.
Forbes, W.
Fordyce, A. D.
Fortescue, hon. J. W.
Fox, W. J.
Freestun, Col.
French, F.
Frewen, C. H.
Gibson, rt. hon. T. M.
Glyn, G. C.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Granby, Marq. of
Grattan, H.
Greenall, G.
Greene, T.
Grenfell, C. P.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grogan, E.
Gwyn, H.
*Hall, Sir B.
Hallyburton, Ld. J. F. G.
Hamilton, G. A.
Hamilton, J. H.
Hastie, A.
Headlam, T. E.
Henley, J. W.
Herbert, H. A.
Heywood, J.
Hindley, C.
Hodges, T. L.
Hodgson, W. N.
Hood, Sir A.
Horsman, E.
Hudson, G.
Hutt, W.
Inglis, Sir R. H.
Jackson, W.
Jervis, Sir J.
Jervis, J.
Jocelyn, Visct.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
Labouchere, rt. hon. H.
Lennox, Lord A.
Lewis, G. C.
Lindsay, hon. Col.
Littleton, hon. E. R.
Lockhart, W.
M'Gregor, J.
M'Naghten, Sir E.

* Absent from the second division.

M'Tavish, C. C.	Sadleir, J.
Magan, W. H.	Scrope, G. P.
*Maher, N. V.	Seymour, Lord
Mahon, The O'Gorman	Shafto, R. D.
Maitland, T.	Sheil, rt. hon. R. L.
Marshall, J. G.	Sheridan, R. B.
Martin, C. W.	Simeon, J.
Martin, S.	Smith, J. B.
Matheson, A.	Somerville, rt. hn. Sir W.
Matheson, Col.	Sotheron, T. H. S.
Maxwell, hon. J. P.	Spooner, R.
Melgund, Visct.	Stafford, A. O'B.
Mitchell, T. A.	*Staunton, Sir G. T.
*Moffatt, G.	Strutt, rt. hon. E.
Monsell, W.	Stuart, Lord D.
Moore, G. H.	Stuart, J.
Morgan, O.	Sutton, J. H. M.
Morpeth, Visct.	Talfourd, Serj.
Mowatt, F.	Taylor, T. E.
Mulgrave, Earl of	Tenison, E. K.
Norreys, Sir D. J.	Tennent, R. J.
Nugent, Sir P.	Thicknesse, R. A.
O'Brien, Sir L.	Thompson, Col.
O'Connell, M. J.	Thornely, T.
Ogle, S. C. H.	Towneley, J.
*Ord, W.	*Townley, R. G.
Oswald, A.	Turner, E.
Paget, Lord C.	Verner, Sir W.
Paget, Lord G.	Verney, Sir H.
Palmer, R.	*Villiers, hon. C.
Palmer, R.	Vivian, J. E.
Palmerston, Visct.	Vivian, J. H.
Parker, J.	Walmsley, Sir J.
Patten, J. W.	*Walsh, Sir J. B.
Pearson, C.	Ward, H. G.
Peel, rt, hon. Sir R.	Watkins, Col. L.
Peel, Col.	Wawn, J. T.
Perfect, R.	West, F. R.
Peto, S. M.	Westhead, J. P.
Pigott, F.	Willcox, B. M.
Pilkington, J.	Williams, J.
Pinney, W.	Willoughby, Sir H.
Plumptre, J. P.	Wilson, M.
Plowden, W. H. C.	Wood, rt. hon. Sir C.
Price, Sir R.	Wood, W. P.
Pusey, P.	Wortley, rt. hon. J. S.
Raphael, A.	Wrightson, W. B.
Rawdon, Col.	Wyld, J.
Repton, G. W. J.	Wyvill, M.
Ricardo, O.	Yorke, H. E. R.
Rice, E. R.	
Rufford, F.	TELLERS.
Russell, Lord J.	Rich, H.
Russell, F. C. H.	Tufnell, H.

List of the NOES.

Anstey, T. C.	O'Connor, F.
Blewitt, R. J.	O'Flaherty, A.
Devereux, J. T.	Power, N.
Fagan, W.	Reynolds, J.
Fox, R. M.	Scholefield, W.
Greene, Capt.	Scully, F.
Keating, R.	†Seeley, C.
Lushington, C.	Thompson, G.
Meagher, T.	
Morgan, H. K. G.	TELLERS.
O'Brien, T.	Crawford, W. S.
*O'Connell, M.	Wakley, T.

* Absent from the second division.
† Voted with the Ayes on the second division.

The House again divided on the original Motion:—Ayes 224; Noes 18: Majority 206.

Leave given.

Bill brought in and read a first time.

House adjourned at ten minutes to One o'clock.

HOUSE OF LORDS,

Tuesday, November 30, 1847.

MINUTES.] *Took the Oaths.*—Several Lords.

PETITIONS PRESENTED. From the Royal Burgh of Ayr, for the Alteration of the Stamp Duties (Scotland) in so far as they concern Personal and Moveable Estates in Scotland.

HYPOTHECATION OF GOODS IN INDIA.

The EARL of ELLENBOROUGH said, he should not detain their Lordships very long in moving for the papers of which he wished to obtain copies. The returns for which he applied were as follows:—

"An account of all sums advanced by the Government of India on the hypothecation of goods, in each of the years from 1839 to 1846, both inclusive, with the rate or rates of exchange at which, in each year, such sums have been advanced, and the credit given for the repayment of such advances; also an account of the amount of all bills drawn upon the several Presidencies in India respectively by the Court of Directors of the East India Company in each of the years from 1839 to 1846, both inclusive, with the rate or rates at which such bills were drawn in each year, and the number of days after date or sight at which such bills were made payable; also a copy of the notification issued by the Government of India on the 5th of August, 1843, with respect to the proposed discontinuance of advances on the hypothecation of goods, and of any official report which led to the issue of such notification, and of all correspondence between the Government of India and the Court of Directors relative to such proposed discontinuance of such advances; also copies of all memorials or representations addressed to the Commissioners for the Affairs of India or the Court of Directors, by merchants in England, with respect to such advances, together with the replies thereto, from 1839 to 1846, both inclusive; and also copies of any agreement entered into by any company or companies for constructing railways in India with the Government of India, or the Court of Directors of the East India Company, whereby any amount of interest is guaranteed to such railway company."

He believed it would not be denied that some of the early failures of commercial houses connected with India were to be attributed to the practices respecting which he now required information; and he thought it most desirable that the House should have before them any statements calculated to throw light upon the circumstances under which commercial transactions with India were at present practically

carried on. From the year 1834, when the existing charter of the East India Company came into operation, down to the present moment, there had been constant complaints from the merchants connected with India of the manner in which the changes then made had operated, and the system on which the transactions of business had, during the last thirteen years, proceeded. The papers for which he had moved would, he hoped, at all events, bring the matter partially before them; but he did think it to be ultimately necessary to examine witnesses, for the purpose of showing the practical injury which the present system had inflicted. Looking at all the circumstances of the case—even before he had an opportunity of looking into the papers—he did not hesitate to say that the subject was one which deserved serious attention from the responsible advisers of the Crown; and he hoped that the matter would not be left solely to the Board of Control, but that Ministers, as a Government, would investigate and consider the whole question: this he entreated them to do, and to look at it in all its bearings. Not long since he had seen in a newspaper a statement to the effect that the Directors of the East India Company had given directions for the transfer from India of certain quantities of bullion, for the purpose of enabling them to meet their engagements in this country. For that statement he believed there was some foundation, and he certainly should regret to see the purpose there referred to carried out to any considerable extent; for in 1832 there had been a similar export of bullion, and, according to the evidence of Mr. Trevelyan, that export had been attended with very injurious effects. It might be very convenient for the Directors to have bullion exported to them from India to meet their engagements here, and, in times of difficulty like the present, such exports might save them the necessity of paying heavy discounts for the use of money, and prevent the lowering of dividends on East India Stock; but such a misfortune could not be felt to any great extent; it could only influence the incomes of a limited number of persons in this country; whereas the export of bullion would materially affect the great body of the people in India. Upon these grounds he did recommend the Government to take the matter into their immediate consideration.

The Earl of AUCKLAND said, he had not had any communication upon this subject with his right hon. Friend the President of the Board of Control; he appreciated the difficulties and the evils to which the noble Earl had called the attention of the House, and on more than one occasion he had made efforts to effect a change in them. With respect to the second subject which the noble Earl had brought under their notice, he was not prepared then to afford him any answer, for he was not aware of the circumstances under which the remittances had been made.

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Tuesday, November 30, 1847.

Minutes.] Petitions Presented. By Mr. Du Pre, from several places, against Removal of Jewish Disabilities.—By Mr. Ewart, and other hon. Members, from several places, for Inquiry into the Case of the Rajah of Sattara.—By Viscount Melgund, from Greenock, for Repeal of the Bank of England Charter Act.—By Mr. G. Craig, and Mr. Benjamin Smith, from Leith and Stirling, for Repeal or Alteration of the Bank of England Charter Act and Banking (Scotland) Act.—By Colonel Thompson, and Mr. J. Williams, from Yorkshire and Finsbury, against Coercive Measures, (Ireland), and for Measures of Amelioration.—By Mr. Fagan, from Cork, for Alteration of Municipal Corporations (Ireland) Act.—By Mr. Berkeley, from Bristol, for Abolition of Punishment of Death.

AMALGAMATION OF TURNPIKE TRUSTS.

Mr. FREWEN, pursuant to notice, proposed the following resolution:—

"That, in order to facilitate the passing of Acts for the purpose of amalgamating turnpike trusts, this House will generally consent to suspend the Standing Orders during the present Session of Parliament in cases of Private Bills the object of which is to unite two or more turnpike trusts. That, on or before the last day of February, 1848, and one month before leave be given to bring in any Bill for the purpose of uniting turnpike trusts, the promoters of any such Bill shall be required to give notice, in the form prescribed by the Standing Orders, once in some newspaper published in the county, or, if there is none published in the county, then in a newspaper generally circulating in the county where the said turnpike roads are situated, of their intention to make such application to Parliament; and shall also serve, or cause to be served, on the clerk of each of the said turnpike trusts, a copy of the said notice; and there shall be a schedule attached to each Bill, stating whether the trustees of each trust assent to or dissent from (or otherwise as the case may be) such Bill."

His object was to facilitate in every way the introduction of Private Bills for the amalgamation of turnpike trusts. The good which might be expected to result from adopting such a step was strongly evidenced in the case of the metropolitan

roads. Since they had all been combined in one commission there had been a very great saving in expenditure; debts to the amount of 186,000*l.* had been paid off, the tolls had been reduced to one-fourth of what they were, and all the gates had been removed three miles from the metropolis. He thought if the principle were applied to a considerable extent throughout the country, the advantage would be very great. In the county of Leicester, with which he was connected, he might say that the feeling was almost universal that it should be carried out. The expenditure upon the turnpike trusts in that county this year was greater than the income; it was daily increasing, and he was anxious, therefore, that the same principle which had been applied to the metropolitan roads should be generally extended throughout the country. By adopting such a course he believed the expenses of trusts might be reduced at least one-half.

Mr. STRUTT said, the ultimate object which the hon. Gentleman had in view might be a very good one; but that did not appear to him to be the present question. The House of Commons had laid down certain Standing Orders to prescribe the course which parties applying for any Private Bill were bound to take. The subject of the notices which it was desirable to give, in order to protect private persons, especially came under the consideration of the House; and the resolutions which the House had adopted, and embodied in the Standing Orders upon that subject, had hitherto been invariably adhered to. The hon. Gentleman now came down, upon the strength of one individual case, and proposed to suspend all those Standing Orders. He was not aware that any Committee upon the subject had recommended such a change in their proceedings. He thought also that the hon. Gentleman had not made out a case for such interference; and he felt it his duty, therefore, to oppose the present Motion.

Sir W. JOLLIFFE agreed, that it would be a most inconvenient time to discuss the general question of the Standing Orders, and he was glad that the right hon. Gentleman had expressed his intention of opposing the Motion. It might happen that, in the county of Leicester, the trusts might be ready to amalgamate; but he knew that in many parts of the south of England the trusts were in such a state that an amalgamation was utterly and entirely hopeless. He did not see that the Motion proposed by his hon. Friend would remedy the great evils which existed under the present law, and he trusted therefore that his hon. Friend would not press it.

Mr. FREWEN said, though he had only mentioned the county of Leicester, he believed that the desire for amalgamation, to which he had referred, prevailed pretty generally throughout the country. However, as it would be useless to press his Motion after what had fallen from the right hon. Gentleman, he begged leave to withdraw it.

Motion withdrawn.

MEASURES FOR IRELAND.

Mr. JOHN O'CONNELL, who had given notice for to-night that he intended to ask the Government what measures they intended to bring forward to meet the aggravated distress of the present winter in Ireland, and when those measures were to be laid upon the table, was anxious to put his questions in a more definite form, and to state distinctly the points upon which he wished for information. He begged to ask, first, whether further returns had been received respecting the working of the poor-law in Ireland? Next, whether means were contemplated for giving immediate employment and food to the destitute poor of Ireland, by the completion of the roads, and other such minor public works as might be necessary for the object? Also, what measures would be enacted, and when they would be brought forward, to check the spread of fever in Ireland? Also, what plan the Government had with reference to waste lands, with a view to the employment of the people and the improvement of the land, and when that would be brought forward? Another question he had given notice of for to-night, and that also he now proposed to put. It was, when would the contemplated Bill for the amendment of the laws regarding landlord and tenant in Ireland be introduced?

Sir G. GREY observed, that the hon. Gentleman had placed a short notice upon the Paper of one or two questions which he intended to put to the Government; but a very short time since he had received from the hon. Member a copy of a series of questions, including a variety of inquiries as to the intentions of the Government with regard to the completion of public works, the employment of the people in various ways, the reclamation of waste lands, the measures to be taken for

arresting the spread of fever, and other subjects. He was certainly not prepared to state what measures might be proposed by Her Majesty's Government with reference to those subjects; but if the hon. Member for Limerick had furnished him with a copy of the precise questions he intended to put, instead of giving notice of one or two short questions, he would have been prepared to give an answer to his inquiries. He might state, however, that Her Majesty's Government did not intend, under the present circumstances of the country, to call upon Parliament to sanction any further advances of money to Ireland. There still remained at the disposition of Government large stores of food from the supply which had been placed at their command last year, and which would be sufficient to meet any necessity that was likely to arise for the relief of the destitute poor in Ireland. He might also state that the Government were not prepared to propose to Parliament any further measures for affording advances to the landed proprietors of Ireland. He could not state what course the Government might think fit to adopt at a later period of the Session, but these were their present intentions. With regard to the landlord and tenant question, he might state that a Bill on that subject had been prepared, and was now under the consideration of the Government; and he must say, he thought it would be a very unwise and inexpedient proceeding on the part of Her Majesty's Ministers, and would tend to defeat the object of those who wished to see a well-considered measure on the subject introduc d, if, within the next few days, and before it had received the most careful and deliberate consideration, they were to lay that Bill upon the table. He could not, therefore, pledge himself as to the precise time when that measure would be brought forward; but the Bill had been drawn, and was now under the consideration of the Government, and it was their intention to submit it to Parliament as soon as they were satisfied that it was likely to work efficiently.

MR. J. O'CONNELL had supposed that, if he had not placed in the hands of the right hon. Baronet the precise questions he intended to ask, he might, after the brief notice he had given, have been met with the objection that the notice was too general. He begged to say that, as he did consider the reply of the right hon. Baronet satisfactory, he would move an Amendment on the Motion for bringing up the report of the Committee for Supply.

SWITZERLAND.

MR. URQUHART rose to put to the noble Lord the Secretary for Foreign Affairs the question of which he had given notice—Whether it were the intention of Her Majesty's Government to interfere in the affairs of Switzerland, otherwise than as a mediator invited to act by both the parties ?

VISCOUNT PALMERSTON: An answer to that question might almost be given by referring to the passage in the Queen's Speech which relates to the affairs of Switzerland; but I will state to the House that the original disposition of Her Majesty's Government was to abstain entirely from any interference, of any sort or kind, in the affairs of Switzerland. At the earnest request, however, of the Government of France, Her Majesty's Government consented, in conjunction with the other four Powers, to offer their mediation between the two contending parties in Switzerland, with a view, if possible, of bringing about an amicable settlement of the differences which have led to hostilities in that country. But Her Majesty's Government made it the condition of their joining with the other Powers in that offer, that it should be left entirely optional to both or either of the parties to accept or refuse the offer; and that the refusal of such offer by either one or both of those parties should not be made, by any other party, the ground of hostile measures or armed interference. It is right, however, that I should state on the other hand, that there was a distinct understanding requested by the other Powers, that that condition should not be considered as fettering any of those Powers with regard to the exercise of any rights they might conceive themselves to possess by virtue of treaties. I think it right to remind the House of that which many hon. Members may not bear in mind —that by a declaration signed by the Five Powers in November, 1815, at Paris, the Five Powers declared that they guaranteed the neutrality, the independence, and the inviolability of the territories of the Swiss Confederation, as those territories were defined by the Congress of Vienna, and by the Treaty of Paris, signed on that day; and that they considered it was for the interest of the whole of Europe that that independence and inviolability should be preserved, and that the Swiss territory should

be exempt from any foreign interference. I have stated the course that Her Majesty's Government have taken; and I may add that we are ready, in conjunction with the other Powers, to offer our friendly offices for the purposes of adjusting the differences between the two parties in Switzerland, but that Great Britain will not be a party to any forcible interference between those two parties.

MR. URQUHART said, the noble Lord had answered satisfactorily the question he had put, and he now wished to ask another question—whether England, in abstaining from interference, save as a mediator, would resist the attempt of any other Power to interfere actively?

VISCOUNT PALMERSTON was sure the House must feel that it would not be proper for him to state what course the Government of this country might take in any supposed emergency.

LAW OF MARRIAGE.

MR. RICE, seeing the hon. Member for Buteshire in his place, wished to ask him when the Commission sitting upon the law of marriage was likely to make its report?

MR. S. WORTLEY observed, that the House was aware that at a late period of the last Session a Committee was appointed to inquire into the subject of the marriages of individuals with the sisters of their deceased wives; but, although the Commissioners had held several meetings, they found it impossible to prosecute their inquiries efficiently during the vacation. Since the beginning of November the Commissioners had met regularly twice a week, and had collected a body of very valuable evidence; and he might state that parties who communicated information to them had been informed that their communications would be regarded as confidential. He could not state when the report was likely to be laid before the House; for, independently of the question of the law of marriage with regard to the degrees of affinity, the Commissioners were directed to institute inquiries with reference to marriages solemnised abroad and in the colonies. He did not know whether the Commissioners might determine to report upon those subjects jointly or separately; but, if they came to the conclusion to make separate reports, he hoped their report as to marriages within the degrees of affinity would be presented to the House early in the ensuing year.

COUNTY COURTS.

MR. WALPOLE wished to put a question to the right hon. Home Secretary with reference to the fees received in the county courts. In the schedule to the Act by which those courts were established, numerous fees were specified, and it was provided that the officers of the court should receive fees for every order, or application for an order. Now, it appeared that in some cases, where debts were ordered to be paid by monthly instalments, the officers had maintained that the first decree, and the order to pay, were separate orders, and they had accordingly charged two fees. He (Mr. Walpole) considered that this proceeding was contrary to the intention of the Act; and, as the Government contemplated paying the officers of these courts by fixed salaries, instead of allowing them to continue to be paid by fees, he wished to ask whether they would permit the continuance of the practice to which he had referred?

SIR G. GREY replied, that his attention had been called to the practice to which the hon. Gentleman had alluded, and which had been adopted in some, though not in all, of the county courts. He fully agreed with the hon. Member that that practice was contrary to the intentions, if not to the express provisions of the Act. It would, however, be necessary to have a new table of fees established for these courts, which was now under consideration, and he would take care to provide against the continuance of the practice.

COMMERCIAL DISTRESS.

The CHANCELLOR OF THE EXCHEQUER: * I rise, Sir, for the purpose of submitting to the House a Motion which stands first in order upon the Paper for to-day—

> "That a Select Committee be appointed to inquire into the Causes of the recent Commercial Distress, and how far it has been affected by the laws for regulating the issue of Bank-notes payable on demand."

And, in pursuance of the promise which I made on the first night of the Session, I shall avail myself of this opportunity, not only of stating the reasons which induced Her Majesty's Government to give that recommendation to the Bank of England which was contained in the letter of the 25th of October, signed by my noble

* From a report published by Ridgway.

Friend and myself, but I shall also state the views which they entertain of the causes which have given rise to the recent commercial distress. I need hardly say that it was from no unwillingness either on the part of the Government or myself, that this statement was not made at an earlier period of the Session. Considerable misapprehension has prevailed as to many things which have taken place, and it was no less the interest of the Government than its duty to lay such a statement at an early period before this House and the country. Sir, that duty devolves now upon me, and I feel very sensibly the responsibility which attaches to me in the performance of it; for it is no light matter to have given our sanction to a possible violation of the law of the land, although, in fact, that law has not been infringed. It is not necessary for us to apply for any Bill of Indemnity; but we do stand here amenable to the judgment of Parliament, and we felt it to be our duty to call Parliament together at an earlier period than usual, in order that we might be enabled to apply for a Bill of Indemnity, if necessary; and, at any rate, to submit ourselves to the judgment of Parliament for the course which we have taken. It is also impossible not to feel that when men's interests have been so seriously affected, and their feelings so much excited, the time is hardly arrived when an impartial judgment can be passed upon what has taken place. I feel, further, that I may have some difficulty in carrying with me the attention of the House in the statement which it will be necessary for me to make in order that all the circumstances may be laid fairly before them; and I hope, therefore, that I may ask from the House even more than that share of indulgence which I have so often experienced at their hands. Sir, in taking the course which we have pursued, we were prepared to be blamed upon both sides. Independently of that blame which usually attaches to persons who take a middle course, it was obvious that the views which Gentlemen would be likely to take of our conduct would be influenced to a considerable degree by the opinions which they entertained of the Act of 1844—that those who approve of that Act were likely to blame us for sanctioning any deviation from its provisions; whilst those, on the contrary, who entirely disapprove of it, were likely to blame us for not having more completely, and at an earlier period, departed from the spirit of its enactments. Accordingly, since Parliament has met, we have been told, on the one side, that we ought not to have interfered, and that we have done no good by our interference: whilst we have been told, on the other, that we ought to have interfered sooner, and that we are answerable for the misfortunes which Gentlemen taking that view attribute to our non-interference. We have been told, further, that we ought entirely to have given up the principle of the Bill of 1844, and to have adopted a system diametrically opposed to it. Sir, these are heavy charges. It is a heavy charge to have sanctioned a violation of the law to no purpose; but I may appeal to those who are conversant with commercial affairs in this city and in this country, whether the most beneficial results did not ensue from that interference. With respect to those who say that we ought to have interfered sooner, it will be for them to prove that an earlier interference would not have been mischievous instead of beneficial; and I hope to show, before I sit down, that no interference, by authorising the issue of a few more bank notes, could possibly have averted or prevented the heavy pressure which has existed during the autumn. In answer to those who say that we ought to have departed still further from the principles of the Act of 1844, I say, that if we had done so we should have acted directly contrary to our firm convictions; because the Government believe the principles for regulating the circulation of bank notes embodied in the provisions of that Act to be sound, and that the operation of that Act has been during the course of the year salutary and beneficial to the country. But, Sir, while I profess my confidence in the principle of that Act, I am not one of those who say that this or any other principle—any other principle, I mean, founded upon human wisdom alone—is, under all circumstances, at all times, and at all hazards, to be carried into practice. That there are principles—eternal principles—of right and wrong, from which no circumstances can justify a deviation, I believe as firmly as any man; but I attach no such inviolability to principles which are the result of human wisdom. I say this, not only of the Act of 1844, but of other laws embodying principles more sacred still. What can be more sacred than the trial by jury? What can be a more sacred palladium of liberty than the Act of Habeas Corpus? And yet it is notorious that at various times these laws have been sus-

pended temporarily with advantage to the country. So it is in other sciences as well as that of legislation. It is notorious, for instance, that while in medical science a given course of treatment is proved by experience to be the best for certain disorders, yet, in singular instances, a departure from that principle—a course of treatment diametrically opposed to the ordinary practice—has been perfectly successful. But does any one suppose that on this account the ordinary principle is to be set at nought? Success justifies the exceptional course of treatment in such a case, but in no respect impugns the general principle. As I say, Sir, of these laws, so I say of the Act of 1844, that it is one which it is not indispensable to carry into strict execution under all circumstances; and I say this more especially, when it was first brought into operation under such peculiar circumstances—under a combination of adverse circumstances so peculiar, that they have been unprecedented for years past, and I trust will be unparalleled for years to come. I believe that we have not seen for years such an unexampled extension of credit; so heavy a drain upon the available capital of the country, for the purchase of corn, and for the construction of permanent works; we have not seen so general an inability throughout large branches of our trade to meet their immediate engagements; we have not seen so general a distrust pervading the commercial world; we have not seen that distrust rising into so universal a state of alarm and of panic as that which prevailed some six weeks ago. And I would ask, what legislation and what system can provide against the effects of alarm and panic? All legislation — every system — proceeds upon the supposition that men will be actuated by the ordinary motives of human action; and against the consequences of their conduct, when it is influenced by other motives, no system and no legislation can provide. It is no fault of the principle of the Act of 1844 that it was unable to provide against that state of things against which no other principle and no other system that has ever yet been advocated for the regulation of our currency could have protected us. Some Gentlemen have advocated a depreciation of our standard: if the standard had been depreciated in 1819—if a pound had been of less value than it is—that would have been no safeguard against what has taken place. If they would have advocated a depreciation now, let them remember that the debts to be discharged in the autumn of 1847 were contracted in money of the same value, and that such a depreciation now would but have enabled the debtors to cheat their creditors of part of their due. A system, which is called free trade in banking, was advocated by many able persons in 1844; and what is the principle of that system? That notes should be issued in proportion to increased transactions and the legitimate demands of commerce; that when prices are high, and transactions numerous, a large issue of notes is required; that when prices, on the contrary, have fallen—when there is a stagnation or cessation of trade—a smaller amount of notes is needed. But is it not notorious that the prices of goods and of agricultural produce have been low; that commerce was stagnant; that upon the principle so advocated a smaller amount of bank notes would have been required for carrying on the transactions of commerce during last autumn even than that which the Act of 1844 allowed? No system that I know of, except that—if system it can be called—of an issue without due provision for convertibility—an issue limited only by the discretion of the Directors of the Bank, would have allowed of a larger issue under recent circumstances. Differing, as they did in many points, all parties in 1844 concurred in one opinion, and that was in condemning an issue of notes regulated only by the will of the Directors of the Bank of England. I hold, therefore, that it is no condemnation of the Act of 1844 that it was unable to provide for a contingency of this description, which it was equally foreign to any legislation, or any system, to provide for beforehand, and against which none of the systems hitherto advocated could have protected us more than that of 1844. But, although no provision was made for circumstances of this kind, it is not because they were unforeseen. I am about to quote from a pamphlet written by Mr. Jones Loyd, one of the most distinguished advocates of the principles of the Act of 1844, and whose authority, therefore, is high upon this subject. The pamphlet was written in 1840, but not published till 1844; and he, as the House will see, distinctly and plainly points to an occurrence of such a character as that which we have recently witnessed. He quotes, in the first place, from a pamphlet of Mr. Huskisson, who says—

"The consequences of sudden alarm cannot be measured. They baffle all ordinary calculation,

Cash is then withdrawn, not because the circulation is excessive, but by the country banks and the town bankers, for the purpose of meeting possible demands upon them, and by the community at large, either directly from the Bank, or indirectly through the former channels, for the purpose of hoarding, from the dread of some imaginary or contingent danger. In such a crisis, every reduction in the amount of Bank paper is so far from checking the drain, that it agravates the general distress."

In such a case, Mr. Huskisson states the probable need of interference, and then continues—

"The possible cases, however, which may call for such an intervention of power, are not capable of being foreseen or defined by law. The necessity may not occur again; if it should, the application of the remedy must be left to those who may then be at the head of affairs, subject to their own responsibility and to the judgment of Parliament."

Upon these words of Mr. Huskisson, Mr. Jones Loyd proceeds to observe:—

"These remarks of Mr. Huskisson furnish the true answer to the memorial of the London bankers, in which they urged the introduction of a special clause to facilitate the suspension of the operation of the Bill in periods of peculiar pressure on the money market. To accede to such a request would be virtually to destroy the efficacy of the measure. The commencement of a drain of bullion, and consequently of pressure on the money market, is the period at which the provisions of the Bill become practically important; and unless they are then strictly adhered to, the whole measure becomes a nullity. For all contingencies which can be reasonably anticipated, and which are susceptible of being previously defined by law, the firm application of the provisions of the Bill is essential, and against the occurrence of those contingencies which are not capable of being foreseen or defined by law, but which are not altogether impossible, the Bill itself affords the best protection that can be obtained. Should a crisis ever arrive 'baffling all ordinary calculation,' and not amenable to the application of any ordinary principle, the remedy must be sought, not in the previous provisions of the law, but, quoting Mr. Huskisson's words, 'in the discretion of those who may then be at the head of affairs, subject to their own responsibility, and to the judgment of Parliament.'"

Sir, believing that such a state of things had arisen, when the circulation was rendered inadequate in consequence of a state of alarm and of panic, upon the principle contained in the quotation which I have just read from Mr. Huskisson, confirmed by Mr. Loyd, Her Majesty's Government felt it to be their duty to act. But, undoubtedly, in stating this, I admit that it is our duty to justify the course we took by the peculiar circumstances which existed at that time; and I hope to be able to show to the House that the circumstances in which we did take that step were such as have not existed in this country for the last quarter of a century. We interfered, not because we thought that we could provide capital for those who had it not—not because we thought that we could enable those to borrow who had no good security to offer for repayment, but because we believed that the circulation was paralysed by a state of alarm and panic. From that alarm and that panic we endeavoured to relieve it. I think that what occurred on our letter to the Bank being made known, proves that it was alarm and panic, which had rendered insufficient for the purposes of trade, an amount of notes in the hands of the public perfectly adequate for these purposes but for the panic which prevailed. In restoring activity to the circulation, we succeeded in the object which we had in view. The causes of the pressure, I apprehend, are far different, and far more deeply seated, than a question of the issue of a million or two of bank notes; and I think that those who attribute the occurrences of the autumn to so inadequate a cause as that, have but little appreciated the gravity of the circumstances which have taken place. To state in a few words what we believe to be the cause of the pressure—although it may ultimately have been aggravated by the apprehension of the effect of the Act of 1844—I believe that there began in the summer of 1846 an unexampled and unprecedented drain of available capital, partly for the purpose of the purchase of corn, and partly for the purpose of permanent investment in the construction of railroads; and that this acted upon a state of credit unduly developed beyond all legitimate bounds, in which the capital was already utterly inadequate to the superstructure of credit which was raised upon it. I do not doubt that the country might have sustained, without any very great pressure, the demand for the purchase of corn, heavy though it was; it might perhaps have sustained the pressure from the demand for investment in railroads, although among those best able to form a judgment it has been thought—and in that view I concur—that such an abstraction of available capital could not take place without sooner or later causing serious pressure. Whether it might have stood them both or not, I know not; but there was, besides, that state of—I hardly like to use so strong a word as insolvency—but that inability to meet immediate demands which so extensively prevailed in the commercial world; and when this element was added

to those which I have mentioned, the combination was more than the country could bear without great suffering and great misfortunes. It is remarkable how strong a contrast the events of this year present to what took place in 1837 and 1839. In 1837 there was severe commercial pressure, though not to be compared to that which has existed this year; in 1839 there was the severest drain for the purchase of corn known for years, though not to be compared with that of 1846–7; but the two came separately; the one was over before the other began, and the consequence was, that, although the amount of the notes with the public, and the amount of the accommodation afforded by the Bank of England, were far less in the autumn of 1839 than in the corresponding period of this year, there was not at that time any severe pressure upon the commercial and mercantile interests. I do not mean to say, that a comparison of the amount of notes in the hands of the public at different dates, affords a precise test of comparison between the respective periods. Changes of a permanent description, such for instance as a considerable suppression of country issues, may have altered the amount of bank notes required under any circumstances; at the same time, when I state the amounts in 1839 and 1847, I think hon. Gentlemen will admit that no such circumstances have occurred since 1839 as would account for so large a difference as appears between that year and 1847. I am anxious to refer to documents, as far as I can, in possession of the House, and I shall therefore take as a test of the accommodation afforded by the Bank, the private securities. This, again, is not an accurate test, but sufficiently so for the present purpose. On the 1st of October, 1839, the circulation, that is, as this word was then used, notes in the hands of the public, and Bank post bills, was 16,800,000*l.* On the 2nd of October, 1847, the whole amount of notes in the hands of the public, together with the Bank post bills, was 19,577,000*l.*, being an increase of near 3,000,000*l.* The private securities held by the Bank amounted on the 1st of October, 1839, to 13,290,000*l.*; but on the 2nd of October, 1847, the amount was 21,260,000*l.*; making, so far as that is a test of the accommodation afforded by the Bank of England to the mercantile and commercial interests of the country, an increase of 8,000,000*l.* in the amount of accommodation afforded in the year 1847, as compared with the year 1839. In the autumn of 1839 there was no severe pressure whatever upon the commercial world; and why? Because then trade was in a sound and healthy state; the events of 1837 had removed those houses which had unduly extended their credit. Persons at that time were carrying on a prudent and steady trade; and the diminution in the amount of notes with the public, and in the amount of accommodation afforded to them by the Bank, entailed no pressure upon them, because they were in that sound state. This seems to me, I will not say a conclusive proof, but a strong ground for the inference, that in the autumn of this year the pressure was caused not from the mere want of notes, not from the mere want of Bank accommodation, but by other circumstances, of which the unsound state of trade was not the least. I will now trace, very rapidly, the course of events up to the present time; and in doing so, I will refer very shortly to the state of trade and of the affairs of the Bank in the summer of 1846, because I believe that time to have been the turning point in the condition of the country. There was in the summer of 1846 an unlimited expansion of credit. It is true that in 1845 the Bank of England discounted at a lower rate, viz., $2\frac{1}{2}$ per cent. They raised the rate to $3\frac{1}{2}$ per cent in the autumn of 1845; but in the summer of 1846, with an enormous amount of bullion, and an enormous amount of reserve, they reduced the rate of interest to 3 per cent. They had at that time 16,300,000*l.* of bullion in their coffers, and a reserve of about 9,500,000*l.*; proving even from the state of the Bank the existence of 5,000,000*l.* or 6,000,000*l.* of capital in the shape of bullion, not wanted as a commodity for the purpose of trade, and forming the basis of an amount of issue beyond what was required by the public. I believe that there was an accummulation of deposits of railway money in the hands of the London bankers, which enabled them to add in some degree to the facilities of the money market. From that time the state of things changed. The harvest of 1846 was not very abundant; the crops of spring corn were very short; the potato crop failed; and it became necessary to import food largely for the relief of the people; and, as I stated to the House on Friday evening, it was also in the summer of 1846 that the great increase of demand

for the purposes of the railroads took place. Then I believe for the first time the demand for capital overtook the supply. The price of cotton rose in the autumn of 1846 from the deficiency of the crop; and I believe that the high price which persons in this country had to pay for their food diminished the demand for manufactured goods. From the end of the summer a steady drain of gold took place. Up to January, 1846, no step was taken by the Bank of England which might act as a warning to the country. The stock of bullion was so large, that the Bank were able to allow the drain to operate upon their own coffers alone, without feeling themselves obliged to take any step in any way affecting the public. In January, however, they raised their rate of interest first to $3\frac{1}{2}$, and then to 4 per cent. But the drain of capital for the railroads and for corn increased most rapidly from this time; the importations of corn became infinitely larger in the earlier months of the year 1847; and the usual effect of a demand for capital was perceived in the rise of the rate of interest, not only of the Bank of England, but in the commercial world. I cannot give a better proof of it, than by mentioning that notice was published early in April by the chairman of one of the best railroad companies in England, the North-Western, announcing that the company were prepared to pay 5 per cent for all the money they borrowed—the highest amount which by law they were enabled to pay. About the same time the Bank of England, though too late in my opinion, raised their rate to 5 per cent. Then came what was called the panic of the spring. I stated at the time from what causes I believed that it arose. I stated, and I have seen no reason since to change the opinion I then formed, that it was mainly, I may say entirely, caused by the imprudence of the Bank, who, having been warned of the demand there would be for the payment of the dividends, and having provided themselves with funds for that purpose, imprudently lent out over the period when the dividends became payable, the money which they had provided, so that they were not in possession of adequate funds when the money was required. They let out the money, not to be repaid till May, and consequently when the dividends had been paid they found themselves without an adequate reserve. The statement of the Bank accounts which was published one Saturday early in April, it is notorious, spread considerable alarm in the commercial world. The Bank then took the severe step of restricting the amount of discounts; they pulled up as suddenly as they had unwisely let out their reserve before; and the consequence was the alarm which we all remember. The panic was increased at the time by the state of the Exchequer-bill market. The Government then took measures which they deemed calculated to meet the emergency; and it will be in the recollection of the House, that after a period of considerable apprehension, the state of monetary affairs generally resumed its ordinary course. But I well remember that in June I saw in more than one newspaper, in the London and also in the country press, warnings against the speculative tendency which was again developing itself, in railroad shares, and in other ways. Now, upon referring to the accounts in the *Gazette* of the state of the Bank, I find that the notes in the hands of the public at that time, in the early part of June, were about 18,250,000*l.*, and the Bank rate of discount was 5 per cent. The dividends were paid in July, when the same state of things prevailed. On the 30th of July the amount of notes in the hands of the public was, in round numbers, 18,900,000*l.*; the Bank still discounting at 5 per cent. I do not know how it is possible to say that there was a deficiency of notes to meet the wants of the country at that period, so far as the Bank was concerned. There was no extra demand on the Bank for discounts, no pressure for advances, while the amount of notes in the hands of the public was larger than when a speculative tendency had been denounced in June. On the 5th of August the Bank increased their rate of discount to $5\frac{1}{2}$ per cent; and this was the only step taken of a restrictive tendency before the failures commenced. The first great failure took place on the 10th of that month, when the house of Messrs. Leslie, Alexander, and Co. stopped payment. It is to be observed that most of the early failures were of houses engaged in the corn trade, with the exception of the firms of Messrs. Reid, Irving and Co., and of Messrs. Saunderson and Co., the bill brokers. Of course it is impossible that any number of firms, in any branch of trade, can fail without entailing serious consequences on houses in other branches also; but, speaking generally, the whole of the early failures were in the corn trade. I see no reason to justify the assertion

that these failures were occasioned by the operation of the Act of 1844. I believe that it has uniformly happened that when a considerable fall has taken place in the price of any article in general demand, failures have occurred amongst those who trade in that particular article. Hon. Gentlemen will remember that between the month of May and the month of September the price of corn fell no less than 50 per cent. In May the average price was 102*s.* a quarter, and in September it was 48*s.* Those, therefore, who purchased at the prices of May, and sold at the prices of autumn, could not but experience very severe losses. However great were the failures, it is impossible to be surprised at them. Except for a few days in May, I never remember a better prospect of a good harvest. The importation of foreign corn also was very large. It was no part of my duty to warn those who were engaged in the trade; but I never omitted an opportunity of stating to this House the extraordinary amount of importation of corn which was carried on during the first six months of the year, in order that the parties might, at any rate, be aware of the fact. Whatever expectations I may have entertained, those whose interests were more immediately concerned calculated otherwise. Under other circumstances the parties engaged in these transactions might have proved great benefactors to the country: far be it from me, therefore, to blame them. It is sufficient to say that they made a great miscalculation, the consequences of which have unfortunately fallen on their own heads. I came to town early in September, immediately afterwards, and found the general impression to be that the failures were to be accounted for by the change of circumstances in the corn trade; and there was a belief that the failures would be confined to those houses which had been engaged in that trade. It was in this hope that I used the expression which has been a good deal commented upon, viz., "that the worst was over." This, however, was not only my impression. An hon. Friend has put into my hand a circular issued by a well-known firm in Liverpool, that of Messrs. Littledale and Co., early in October, in which they state—"By our monthly circular of the 21st of September, we expressed a hope, based on our London correspondence, that 'the worst was over;' but, we regret to say, that, far from this being the case, every day has brought some new failure." It appears that the correspondents of these parties had arrived at the same conclusion to which I had been led by the information placed before me; and I think that the House will see that I had at least some ground to justify my anticipations. I regret that these anticipations proved to be erroneous, and that failures of a far more extensive nature very soon occurred. Throughout the month of September failures of houses engaged in various branches of trade took place in rapid and melancholy succession. But, were these failures to be attributed to a deficiency in the amount of bank notes then in the hands of the public? I think that such an opinion is not borne out by the facts. Early in September the Bank of England announced that they would make advances at 5 per cent up to the 14th of October, when the dividends became payable. It was, I think, unfortunate that they adopted that low rate, because parties in the city appear to me not so much to attend to the published accounts of the Bank, as they do to the acts of the Bank and the rate of interest charged by them. I do not think that this determination on the part of the Bank produced any great practical effect on the amount of the advances actually made; but I do believe that it did produce a very considerable effect in other respects, by encouraging for a longer period an undue confidence in the money market. Fixing this low rate of interest was, therefore, in its result an unfortunate proceeding. The real nature of the transaction was this: It is notorious that previous to the payment of the dividends every quarter, Government balances accumulate in the Bank; and it is equally notorious to everybody conversant with these matters, that the practice of the Bank is not to allow these balances to lie in their till unemployed, thereby depriving the public of the extent of the accommodation which they usually enjoy, but to lend them for short periods in sums to be repaid previously to the time when the dividends become due. This was the course adopted by the Bank in September and October last. They made advances out of the Government balances repayable before the dividends became due in the month of October. It is also equally true, that upon former occasions the practice of the Bank has been, that when they made a loan to be repaid within a limited period, determined, not by the wish of the borrower,

but by the convenience of the Bank, they generally made them at a rate lower than that at which they were discounting. The discount rate on this occasion was $5\frac{1}{2}$ per cent, and the loans were made at 5 per cent. It is important for the point now under consideration to mark the effect of this proceeding of the Bank in regard to the amount of bank notes in the hands of the public. In the early part of June the amount of notes in the hands of the public was 18,250,000*l.* On the 30th of July the amount was 18,892,000*l.* Now, it is notorious that between the periods of the payment of the dividends the amount of notes in the hands of the public usually decreases. Accordingly, on the 11th of September, the amount had gone down to 17,840,000*l.*; but on the 2nd of October, when the advances of which I have just spoken had been made, it was 18,712,000*l.* Therefore, the amount of notes in the hands of the public at the time when this pressure existed, which has been attributed to a deficiency of bank notes, was only less by the sum of 200,000*l.* than it was on the 30th of July before the pressure—was higher by nearly half a million than in the early part of the month of June, when everything was going on prosperously—and was rapidly increasing during the period when the most serious failures took place. I will now state the amount of accommodation afforded by the Bank of England to the commerce of the country. I will refer again to the test which I before mentioned—I mean, the amount of private securities. It appears that the private securities held by the Bank on the 24th of July, 1847, amounted to 15,300,000*l.*, and on the 2nd of October they amounted to 21,265,000*l.*—that is to say, during the two months, August and September, the accommodation of the Bank to the public on private securities was increased about 6,000,000*l.* The amount advanced on private securities at corresponding periods in former years stands thus :—

On the 5th Oct.	1844	...	10,510,000*l.*
4th	1845	...	15,188,000*l.*
3rd	1846	...	15,086,000*l.*

and on the 2nd of October, 1847 (as I stated before), the amount was 21,259,000*l.* It seems to me, with these facts before us, utterly impossible to say that there was such a diminution of the notes in the hands of the public up to the beginning of October as to account for any degree of pressure, or that the Bank of England was prevented, by the provisions of the Act of 1844, from affording accommodation largely to the commerce of the country. Another strong proof of the absence of any cause of pressure at this time arising from the amount of notes, is to be derived from the state of the country circulation, which in the months of August and September was very little below its amount in the corresponding months of 1846, and was much below its limit in this country. The country notes in England and Wales, in circulation in those months, were only about 250,000*l.* less than in the same months of the preceding year, and they continued at about 1,000,000*l.* below their limit; whilst there was no reason why they should not have been increased to the amount of that million if there really had been a demand for an increased circulation. In Scotland there was little or no difference in the amount of the notes in circulation in those months between 1846 and 1847. The only one of the three kingdoms in which there was any considerable difference was in Ireland; and in Ireland comparatively few failures have occurred. I must here also remark—and the fact ought always to be borne in mind—that during all the time of the pressure on the money market, the Bank of England never refused to discount any bill which they would have discounted at other times and under other circumstances, and before any depression existed. They discounted all the bills which came within their rules, only charging a higher rate of interest. They did not refuse a single bill of this description. I think I have now shown that, up to the month of October, there was no deficiency of notes—no deficiency of discounts—and no deficiency of accommodation in any respect whatsoever. From what cause, then, it will be asked, did the pressure upon the commerce of the country arise? I believe, as I have already said, that it was mainly caused by the absorption of available capital, partly for the purchase of corn, and partly by its application to the construction of railroads, acting upon a very unsound state of commercial credit. I will endeavour to explain the manner in which the capital was absorbed, and how I conceive that this operated upon trade. In the first place, large sums were sent out of the country for the purchase of corn; and I must remark with respect to this outlay (as well as to that for railways) that not only were the sums for both purposes, which were abstracted from trade, of a large amount, but that they increased

rapidly in the course of the last few months. I have a return of the cost to the importer of the corn imported since the summer of 1846, and this will show how large an amount of capital the purchase of corn alone has absorbed. The account is one which has been corrected by Mr. Porter with great care. By this return it appears that the cost of corn imported, without any allowance for profit, from June, 1846, to January, 1847, was 5,139,000*l.*; from January to July, 1847, the amount was 14,184,000*l.*; but the fact which I am now about to mention shows, as I have remarked, how the absorption steadily and continuously increased. During the three months from July to October, the sum paid for corn imported was no less than 14,240,000*l.* It will be seen that the cost in the three months ending the 10th of October was greater than that for the preceding six months. But during those three months the pressure in the money market was the greatest; and may not this extraordinary amount of money paid for foreign corn in that period account, in a great degree, for that pressure? No less a sum than 33,563,476*l.* has been expended for foreign corn within the space of fifteen months. I now come to the other cause, which, as I have already remarked, went on in like manner increasing in extent as it advanced. Before I say anything further on the subject of railways, I may, perhaps, be permitted to correct a mistake into which I fell on a former night when speaking on this subject. I stated that the amount of capital the expenditure of which was sanctioned on railways, in the year 1841 was 1,500,000*l.*, and in 1842 was 2,000,000*l.* It appears that I understated the amount for those two years, though the difference does not affect the argument which I used. In 1841, 1842, and 1843, the amount sanctioned was, in each year, about 4,500,000*l.*; in 1844, it was 6,105,000*l.*; in 1845, it was 14,135,000*l.*; in the first half of the year of 1846 it was 9,815,000*l.*; in the last half of that year it was 26,670,000*l.*; in the first half of the year 1847, it was 25,770,000*l.*; and if the expenditure had proceeded as it had gone on in these years, the amount to be expended for the half-year ending the 31st of December, 1847, would have amounted to 38,000,000*l.* From these sums must be deducted about one-fifth for preliminary expenses and the purchase of land. The money expended for these purposes cannot be said to be converted into fixed capital. The amount of available capital, however, expended on the construction of railways, after making the above deduction, and in the purchase of corn, and thus abstracted from other purposes, during the last fifteen months, is no less than 80,000,000*l.* or 90,000,000*l.* I need not on this occasion repeat what I said the other night on the subject of railways. I am not inclined to disagree in opinion with my hon. Friend the Member for Sunderland, as to the advantage which railways confer upon the country. I do not question the utility of the railways, or the advantages which are produced in the course of their construction, by the increase of the comforts of the labourers and of the consumption of excisable articles. I admit that such works are greatly beneficial to the public. Let him say, if he will, that the expenditure on railways is more advantageous to the country than the usual employment of floating capital in commercial pursuits. That is not the question for us now to consider. The question is—what is one cause, at least, of the pressure which the commercial world has experienced? What is it which has abstracted from those engaged in trade a large portion of that capital which they have hitherto always been able to obtain, and by which they have been enabled to carry on their commercial transactions? I say that one main cause has been the absorption of a large portion of the floating capital of the country, hitherto employed in commercial dealings, and the investment of it in the construction of railways, thereby converting floating and immediately productive capital into fixed, and for a time, unproductive capital. Nor am I indisposed to agree with my hon. Friend (Mr. Hudson), that it might have been well for the commercial world if they had not accepted bills so largely, and had not carried on their commercial transactions to so great an extent upon credit. But that again is not the question. The fact is, that that capital which the commercial world had heretofore been accustomed to command was taken from them. They were deprived of the means on which they calculated to carry on their commercial transactions; and again I ask by what means was this effected? It was by abstracting some fifty or sixty millions from the floating capital of the country, and giving to it a fixed and permanent character. That appears to me the most important element in solving the question as to the cause of the pres-

sure under which commerce has laboured during the period to which I have been adverting. I will now advert to the state of trade, from which the facility hitherto enjoyed was thus taken. It is painful to speak of the insolvency which has recently taken place among many parties, with several of whom many of us have been personally acquainted, and for whom we entertain sincere sympathy and respect. I deeply regret their inability to meet their engagements. I will give no opinion of my own on this subject, but I will quote the opinion of a gentleman well known in the commercial world, differing with me in his views on most subjects of trade, who, in a printed letter which has been sent to me, avows his belief that few of the houses which have failed, were possessed of sufficient capital to carry on their trade.

"Go (says Sir John Gladstone) over the list of East India failures, or of foreign traders, and point out one who has not been long without adequate capital or means."

Many of the most serious failures have taken place in the East India trade. I find that it is stated in another printed document—and I fear there is too much truth in the statement—with regard to the trade of India, that in many cases business was carried on less with a view to profit and loss than to the creation of bills—that ten months credit, for instance, was usually given on the purchase of goods in India—and that the bills drawn to pay for these goods were sent home by the overland mail to be discounted and re-discounted, as the means of providing immediate funds for London houses eight months before the drafts against those goods fell due. I fully admit that the trade of this country can only be carried on partly by capital and partly by credit; but there must be some due proportion between the capital possessed by the parties and the credit which they seek to establish upon it; there must be an adequate basis of capital for the superstructure of credit; and if parties have overstepped that due proportion, when an adverse state of circumstances comes round, my opinion is, that no issue of paper money can prevent or avert such a catastrophe as that which we have lately had to lament. Recent occurrences have, I think, afforded strong illustrations of this state of things. I believe that large houses have failed because the produce brokers would no longer accept their bills. The produce brokers failed because they were overburdened by their previous acceptances. But the system was essentially unsound. The bills drawn on these brokers were not only drawn against goods arrived in this country, and deposited in their hands, but against goods yet in India or elsewhere, as soon as shipped. Money was raised upon produce not even ready to be shipped or to be brought to market. In these latter cases when the bills became due, and the drawers were unable to pay them, there were no goods at hand, by the sale of which money could be raised, and consequently no available foundation for the credit thus created. I cannot say that the practice is totally new; but it has been of late carried to an extent altogether unexampled and unprecedented; and I believe that no small portion of the failures which have recently occurred have been owing to this system. It was facilitated by means of a practice which was reprobated by the Banking Committee, of which I had the honour to be chairman, and which is disclaimed by many of the oldest and steadiest banking concerns, and by the banks in Scotland, though practised by some of them—I mean the re-discounting by bankers the bills which they have discounted for their customers. It is a common practice with joint-stock banks in commercial places. It was, I believe, the failure of this resource, which was the immediate cause of the suspension of the Royal Bank of Liverpool. The mismanagement of that establishment was very great. Nearly the whole of its paid-up capital, to the extent of more than half a million, had been lent to one house. If banks thus dispose of their own resources, and rely in ordinary times for the means of carrying on their business on re-discounting their bills in London, it is obvious that their means will be curtailed in any time of pressure, precisely at the period when their need of additional means is the greatest, The facility, again, for this course is given by a system practised to a great extent in the metropolis, in spite of the exceeding danger attending it, namely, the system of bankers and others placing large sums of money "at call," as it is termed, with bill brokers in London. It is true that country bankers hold deposits at call to very large amounts; but the safety of that proceeding, on their part, consists in this circumstance, that whatever may be the aggregate amount of deposits, the number of depositors, and the variety of interests

which influence them, render it extremely improbable that all, or even a considerable proportion of the deposits, should be drawn out at one and the same time. But the practice which prevails in London is different, and possesses none of the safeguards to which I have just adverted. The London bankers, for instance, place large sums of money with the bill brokers; but it unfortunately happens that the same circumstances which cause one banker to withdraw his money from the bill brokers, usually operate upon all other London bankers at the same time; and the consequence, therefore, is a simultaneous abstraction from the bill brokers of their means of discounting bills. When we find that more than half the means with which some bill brokers carry on their business are deposits at call, it must be obvious that when circumstances arise which deprive them of their usual means of affording accommodation to their customers, the result must be an extraordinary effect upon the credit which exists in the shape of bills of exchange. In must also be borne in mind, that when a certain number of great houses fail, from their own imprudence and over-trading, the inevitable consequences is to involve other houses in difficulties, whose own concerns have been managed with reasonable prudence. In the ordinary course of trade, the latter might properly rely on the bills or acceptances of the former class, as an available means towards meeting their own engagements; and if these bills and acceptances suddenly become worthless, they can hardly escape suffering from misconduct not of their own, but of others. The evil is not confined to those by whose fault it was originally caused. I will not advert to circumstances which have come to my knowledge within the last few weeks, showing a state of things in commercial matters, by which I was myself astonished; and I have also been informed by persons long and intimately acquainted with trade, that they too have been appalled by the reckless character of the transactions with which recent events in the commercial world have made them acquainted. I am unwilling to go into any details on this subject; but I hope the House will give me credit for not making statements of this kind without having had such information as would fully bear out what I have said. I think, Sir, that after what I have stated, that the House is now in a condition to judge to which of the causes before adverted to, the failures that took place in August and September ought to be referred. On the one hand, it is asserted that those failures were occasioned solely by the stringent operation of the Act of 1844, which prevented the Bank from issuing an adequate amount of bank notes for the purpose of carrying on the commercial transactions of the country, and from giving assistance to persons engaged in trade; whilst, on the other hand, I believe that they resulted in a great degree from the abstraction of floating capital from trade, and from an undue extension of credit, which the capital of the country was unable to support. I have shown that there was no material reduction of the amount of bank notes in the hands of the public. I have shown the extent of additional accommodation afforded by the Bank. I have shown to how great an extent available capital was withdrawn from commercial operations to be otherwise applied. I have referred to the state of many commercial houses; and I now appeal with confidence to any impartial and reflecting man to declare to which of the two alleged causes the numerous and heavy failures which occurred up to October, ought to be attributed. In the beginning of October an occurrence took place which caused a considerable change in the state of public feeling, and from which time matters assumed a totally different aspect. I have already mentioned that early in September the Bank made, for a limited time, advances from the Government balances in their hands. Of course, that could be done only for a limited period, because the money would be required, at a given time, for the payment of the dividends. The Bank accordingly announced that they would lend the money only till the 14th of October. They made advances to such an extent as they deemed prudent; and the application for loans had nearly ceased, when, on the last two days of September, an extraordinary increase in the demand took place. The usual demand had not exceeded 20,000*l.*, 50,000*l.*, or 70,000*l.* a day for the preceding week; but on the 29th September the loans amounted to 149,000*l.*, and on the 30th to 362,000*l.* On the 2nd October the Bank announced, not that they must prematurely withdraw any of the advances which they had made, but that they could not increase the amount of their advances, and that the loans must be repaid within the specified time, in order

that the money might be ready to be applied to the payment of the dividends. The effect of this announcement was to spread the greatest dismay through the city of London. The whole commercial world seemed to have been surprised at this announcement, and to have looked upon it as being one of the most unjustifiable steps which ever was taken; but I hope that gentlemen in the city will forgive me for saying that it appears to me extraordinary that any man who considered for a moment, should be surprised by it. It was known that these Government balances could be used by the Bank of England only for temporary accommodation, until the time for paying the dividends arrived. It was a matter of notoriety that the money would be wanted for that purpose, at a fixed time. That time was known long beforehand, by everybody. I would beg to remind Gentlemen also, that last spring I stated as a probable case, precisely what has now occurred. When the pressure felt in April last was attributed to my having had recourse to borrowing from the Bank on deficiency bills, I stated that this was not the cause of the inconvenience complained of, because whether the Government borrowed on deficiency bills, or drew their balances from the Bank, the accommodation which the Bank had previously afforded to parties must be temporarily withdrawn from them at the time the dividends became due. The Bank were not likely to leave large Government balances unemployed: they would naturally use them for temporary advances; and these advances could not be continued during the payment of dividends. It must be obvious to any person who will consider the matter, that this must necessarily be the case. What I mentioned in May, came to pass in October, and therefore the announcement issued by the Bank ought not to have taken any person by surprise. An impression prevails very generally that the advances made by the Bank were withdrawn to a considerable extent, at the period of this announcement; but that is not the case. The aggregate advances of the Bank on the 25th of September were 4,725,000*l.*, and on the 9th of October they were 4,544,000*l.*, showing a diminution of not quite 200,000*l.* In truth, the Bank, in the transaction in question, and in the position in which they found themselves, did only what was necessary in order that they might be prepared for the payment of the dividends. However, when I came to London on the 2nd of October, I found the whole city in a state of the greatest excitement and alarm. For one day, the continuation was at the rate of 60 per cent per annum. I certainly never passed through so painful and anxious a period as the three weeks which succeeded that day. My time was occupied in seeing persons of all descriptions from the moment I came down in the morning until I went to bed at night. Parties came to me and represented that it was perfectly impossible that the loans could be repaid to the Bank; that if the Bank relied upon such repayment for the payment of the dividends, they would be disappointed; that the Bank dared not sell the securities on which the advances had been made, and, consequently, that it was impossible that the public credit could be maintained during the next week. What, however, was the fact? The next week came, and the loans were repaid almost without an exception. During the whole of this period, the Governor and Deputy Governor of the Bank acted with extreme prudence and discretion in dealing with these loans; and it is satisfactory to know that, on the whole, they were very punctually paid. It is also a most remarkable thing, that at this period to which I am alluding, the bank notes taken out of the Bank in the first four days of the payment of the dividends exceeded only by 300,000*l.* the amount taken out in the four corresponding days of the preceding year. It is an extraordinary fact, that in such a crisis, when the need of additional bank notes is represented to have been so extreme, parties who might have claimed 7,000,000*l.* from the Bank during these four days, drew only 300,000*l.* more than had been drawn in the four corresponding days in 1846. Thus ended the week of the dividends. On the following Monday the failure of the Royal Bank of Liverpool took place; and the intelligence reached London just at the moment when a better state of things was beginning to exhibit itself. The failure of that bank is obviously attributable to gross mismanagement. With a paid-up capital of little more than 600,000*l.*, they lent, if I remember correctly, no less than 500,000*l.* to one house. Great apprehension was entertained also respecting an eminent broker at Liverpool, who, however, succeeded in obtaining assistance from the Bank of England. On the Thursday of this week, so far as London alone was con-

cerned, there was every appearance of a somewhat better state of things; but there was a very great change in the character of the accounts from the country. The country had always been the greatest cause of apprehension; and on the Thursday, Friday, and Saturday, the accounts were very alarming. Another bank at Liverpool called, I think, the North and South Wales Bank, failed; and much anxiety was felt respecting others, more especially those in commercial districts; for, except in one or two instances, the banks in agricultural districts were comparatively easy. A bank at Abingdon, and another in the West of England, however failed, the latter of which it appears will be unable to pay more than a small dividend. Other failures also occurred elsewhere. Intelligence of the failure of a large bank, the Union Bank at Newcastle, was received on the Thursday, and this caused a severe run on the district bank in that town. Allusion was made on a former evening to the manner in which it is supposed that this bank obtained assistance in consequence of the interference of the Government; but I can only state that Mr. Richardson, the manager of that bank, came up to London to solicit assistance from the Bank of England, and returned without having obtained it. That in itself is sufficient to satisfy any person that the case of that establishment was not recommended to the favourable consideration of the Bank of England by the Government. It is true that the bank was assisted to a large amount by the Branch Bank of England at Newcastle, the manager of which was Mr. Grote, the brother of the gentleman of that name whom many Gentlemen remember with pleasure as a Member of this House. Mr. Grote, fearful of the ruin which the possible suspension of the district bank might cause in the neighbourhood, took on himself the responsibility of affording it, to a very large extent, by advances on the securities which they placed in his hands, the means of meeting a formidable run which was made upon it on Friday and the early part of Saturday. The measure was quite successful, and in the afternoon of Saturday many of the parties who had drawn out their money came to the bank and tendered it again in deposit; and the credit of the Bank, of whose ultimate solvency there never could be a doubt, was re-established. About this time the sense of danger was seriously aggravated by an application for assistance to the Bank of England from some Scotch banks. It has always been supposed that the banks in that country rested upon so safe a footing that they were able to take care of themselves, and that, consequently, it would never be necessary for them to seek for assistance from the Bank of England; but on this occasion the application was made, and certainly the statement laid before the Bank was of a nature to excite alarm; because, looking to the enormous amount of the deposits in the Scotch banks, however solid and sure may be the ultimate security of those establishments, the temporary embarrassment of any portion of them could not have failed seriously to aggravate the existing pressure in this country. The Bank of England was pressed directly for assistance from all parts of the country, and indirectly through the London bankers, who were called upon to support their country correspondents. The country banks required a large amount of notes to render them secure against possible demands, not so much for payment of their notes, as of their deposits. Houses in London were applying constantly to the Bank for aid. Two bill brokers had stopped, and the operations of two others were nearly paralysed. The whole demand for discount was thrown upon the hands of the Bank of England. Notwithstanding this, the Bank, as I before said, never refused a bill which it would have discounted at another time; but still the large mass of bills which under ordinary circumstances are discounted by bill brokers, could not be negotiated. During this period we were daily, I may say almost hourly, in possession of the state of the Bank. The Governor and Deputy Governor at last said that they could no longer continue their advances to support the various parties who applied to them—that they could save themselves, that is, they could comply with the law—but that they could not do so without pressing more stringently upon the commercial world. At this crisis a feeling as to the necessity of the interposition of Government appeared to be generally entertained; and those conversant with commercial affairs, and least likely to decide in favour of the course which we ultimately adopted, unanimously expressed an opinion, that if some measures were not taken by the Government to arrest the evil, the most disastrous consequences must inevitably ensue. Evidence was laid before the Government which proved not only the exist-

ence of severe pressure from the causes which I have stated, but also that it was aggravated in a very great degree by the hoarding on the part of many persons of gold and bank notes to a very large extent, in consequence of which an amount of circulation which, under ordinary circumstances, would have been adequate, became insufficient for the wants of the country. It was difficult to establish this beforehand; but the best proof of the fact is in what occurred after we interfered. As soon as the letter of the 25th of October appeared, and the panic ceased, thousands and tens of thousands of pounds were taken from the hoards, some from boxes deposited with bankers, although the parties would not leave the notes in their bankers' hands. Large parcels of notes were returned to the Bank of England cut into halves, as they had been sent down into the country; and so small was the real demand for an additional quantity of notes, that the whole amount taken from the Bank, when the unlimited power of issue was given, was under 400,000*l*. The restoration of confidence released notes from their hoards, and no more was wanted, for this trifling quantity of additional notes is hardly worth notice. I think, therefore, that I am fully borne out in the assertion, that the notes in the hands of the public were amply sufficient for the purposes of trade, but that their circulation was paralysed by panic; and this was the general purport of the representations which we received. Parties of every description made applications to us for assistance, with the observation, "We do not want notes, but give us confidence." They said, "We have notes enough, but we have not confidence to use them; say you will stand by us, and we shall have all that we want; do anything, in short, that will give us confidence. If we think that we can get bank notes, we shall not want them. Charge any rate of interest you please, ask what you like." [Mr. SPOONER: No, no!] I beg pardon of the hon. Gentleman, but I may be permitted to know what was actually said to me. I say that what I have stated was the tenor of the applications made to me. Parties said, "Let us have notes, charge 10, 12 per cent for them; we don't care what the rate of interest is; we don't mean indeed to take the notes, because we shall not want them; only tell us that we can get them, and this will at once restore confidence." We have been asked, what was the change of circumstances which induced us to act on Saturday, when we declined acting a day or two before? I reply, that the accounts which we received on Thursday, Friday, and Saturday, were of a totally different description from those which had been previously brought to us; and we were convinced that at length the time had arrived when, in the words of Mr. Huskisson, in the pamphlet to which I have already referred,

—"the stagnant and straitened circulation of the country wanted life and aid, and became every day more embarrassed, whilst each new calamity produced by such a state of things contributed to spread and increase the general apprehension."

It was on Saturday, and not before, that this conviction was forced upon us, and it was not till then that we felt it necessary to sanction a violation of the law. I took the greatest pains to sift the accuracy of the statements which were made to me. I do not wish to deny that I was most unwilling and reluctant to interfere; but I felt that I should be utterly unworthy of the office which I have the honour to hold, if when the conviction was forced upon me that interference was for the public good, I had hesitated for one instant to do what I believed to be right in consequence of any opinions which I might have formerly expressed. Having determined to act, there was, of course, the question in what mode we should carry our intentions into effect. I do not mean that this question had to be considered after we had determined to act; for very soon after my arrival in town it became my duty to consider the matter; and we—that is, my noble Friend and myself—had made up our minds as to the best course of action. I should have been glad if we could have taken any course which would have been equally efficacious without running the risk of infringing the Act of 1844. One of the courses recommended to us, by the parties whom we saw, was to advance Exchequer-bills upon goods; but Exchequer-bills were not an easily negotiable security, and I have my doubts as to whether it would not have been as advantageous to advance goods upon Exchequer-bills as Exchequer-bills upon goods. Many other plans were proposed. One mode suggested was the advance of notes upon Consols; but neither did that expedient, nor the issuing of some description of Government note, appear to us likely to be sufficient to meet the evil. It would have been most absurd to act at all unless in a way which, we felt

really certain, would effect our purpose. We had therefore determined on giving the power of issuing more bank notes. The parties who applied to us, generally speaking, told us that, in sanctioning an issue of bank notes, it was essential that there should be a limit to the amount. The limit proposed was 2,000,000*l.*, 3,000,000*l.* or more, and sometimes with a rate of interest rising as the issue was increased. But in the state of alarm which then prevailed, it appeared to us that it would be unwise to fix any limit of the kind, because, whether the limit was 2,000,000*l.* or 3,000,000*l.*, parties would naturally have possessed themselves of the limited amount as soon as they could; and when apprehension was again aroused, the same thing would have occurred with a circulation of 21,000,000*l.*, as with 18,000,000*l.* or 20,000,000*l.* Another and a better suggestion was, that a limit should be put on the rate of interest. This was the course on which we had determined, of fixing no limit on the amount of notes, but imposing a limit through the rate of interest. We considered it essential, that on the discounts, or advances to be made by the Bank, a high rate of interest should be charged; not so much regarding whether it was 7, or 8, or 9 per cent, but that it should be comparatively high. Unless this was done, there would have been no limit whatever on the issue of notes, and there would have been great risk of a most mischievous result, namely, giving a check to the importation of bullion into this country. The question, then, was, what rate would attain this end? As I said before, we had been continually told by mercantile men—"If we can get notes, we do not want actually to take them; and we do not care, therefore, how high a rate of interest you impose, provided we know that we can obtain notes." But I was as anxious as any person not to impose too high a rate of interest. Such a rate is prejudicial in many ways. Beside pressing upon trade generally, it often creates alarm which ought not to exist. Instead, therefore, of adopting the suggestion of 10 per cent, we named 8 per cent. The lowest rate suggested by anybody, was 7 per cent. But such a rate would not have answered the purpose. Hon. Gentlemen who complain on this score, ought to remember what was the rate of interest generally charged immediately previous to our recommendation, not by the Bank, but out of doors. It was notoriously much higher, when the commission charged by bill brokers, but which the Bank does not charge, is included. At the time in question, the rate of interest in Hamburg was 7 per cent. I have here a letter from our Consul at Hamburg, dated the 22nd October, in which he states that interest there was from 6 to 7 per cent, and that the rate was not much lower in any part of Germany. The same was the case at New York. At a time when they could not be aware of the extent of the difficulty on this side of the Atlantic, the rate of interest in the United States was upwards of 7 per cent per annum, and in some cases still higher rates were charged. Even the rate of interest charged by the Bank of England up to that time was greater than is commonly supposed. The minimum rate of $5\frac{1}{2}$ per cent was not charged on any considerable portion of the bills which they discounted. That was the rate at which they discounted some bills which had but a short time to run; but the average amount of their rate of discount was $7\frac{1}{2}$ per cent. The real amount, therefore, of the rise in the rate of interest recommended by us was, at any rate, not much more than $\frac{1}{2}$ per cent, and was only 1 per cent above the rate of interest in parts of the Continent and in America. If it is desirable, as every one must admit it to be, that capital should be attracted to this country, this object can only be attained by the circumstance of foreigners obtaining a higher rate of interest for their money here than they can get in their own country. It is for these reasons that I conceive that the mode in which we acted was that which was best calculated to attain the end which we had in view—the removal of panic, the restoration of confidence in trade and commerce, at the same time guarding against any check to the influx of capital from abroad. The permission to issue without limit attained the first object; the high rate of interest attained the second. It is said that we ought to have left the Bank of England to fix the rate of interest; but I think it was but fair that we should name the rate ourselves. I had no desire, any more than my noble Friend, to shrink from the responsibility which fairly belonged to us; and we thought it better that we should state fully in our communication to the Bank the whole nature of the measure which we proposed. We thought it essential that there should be a high rate of interest, and we took it upon ourselves to say what, in our

opinion, under the circumstances, was for the time the proper amount. We would not take for ourselves the grace of removing the restriction, and leave to the Bank the responsibility of imposing the check. It has been said that there ought to have been a difference in the rate charged for advances made in consequence of the letter addressed by us to the Bank; but it would evidently have been impossible to distinguish them from the advances which they would have made without the letter. An objection has also been taken to the paragraph claiming for the Government a share in the profit arising from the high rate of discount charged. That paragraph was introduced with the concurrence of the Bank authorities, and was introduced on purpose to protect the Bank against the suspicion of being actuated by a view to their own profits. It is provided in the Act of 1844, that the profit of any further issue on security shall be carried to the account of the public. We acted in the spirit of that provision. I never did in fact anticipate any actual excess of issue. It has not taken place, and consequently Government has not received, and will not receive, any profit from the transaction. I have now stated what was the real object of our recommendation to the Bank. It was not to create capital, or to bolster up fictitious credit, but to release and unfetter the circulation of the country, which was frozen by alarm. That end has been attained. By the common consent of men of business, it is admitted that the desired effect was produced. I do not say that persons may not have been disappointed, who thought that they were to be extricated from the situation in which their own reckless speculation had placed them —who expected that something would be done to put money into their pockets, to enable them to carry on concerns for the support of which they had no means of their own. But I believe, that persons who had means of their own, though not immediately available, were enabled, through the assistance placed at their disposal in consequence of the measure authorised by the Government, to carry on their business without further difficulty. No doubt a pressure remains; but that is occasioned by those circumstances to which I have alluded before, and which still remain in operation. Failures have taken place since, and may take place still, for after the assurances which were made last summer as to the sound state of trade, have been so singularly falsified, I cannot place much confidence in representations of a similar character now. What we prevented was, a general and contemporaneous failure, the consequences of which it would have been formidable to contemplate. And now, Sir, I am happy to state, upon what I consider good information, that there are symptoms of improvement. Orders from abroad are coming in. I hold in my hand a circular from a great cotton broker in Liverpool, stating that there is a decided improvement in trade. This is an extract from it :—

> " There is every appearance of lasting improvement in the state of the manufactory. In proof of this, an increased number of mills are now working full time, and a disposition is shown to follow this example, more or less, in the other mills. The number of operatives unemployed is, therefore, constantly on the decrease; and we have good hope that the distress which was apprehended during the winter months will be averted, especially as provisions are now abundant and cheap. Indeed, it is generally admitted that our prospects in every department of trade are brightening. We have no longer to complain of insurmountable difficulties in money transactions, which, besides, are now done at the Bank of England at the minimum rate of 7 per cent interest, and at a still lower rate at other banking establishments. But the amendment in the cotton manufactory is mainly due to the low value of the raw material, which is unquestionably the best ground of extension and prosperity."

This circular is dated the 26th of November. I think, Sir, that the House will share in my gratification at this prospect of increase in the employment of the working classes. I believe it to be true, also, that the exports to the United States are considerably increasing; and I hope that, as bullion is coming from thence, there is a great prospect of goods, and not gold, being sent to that country, in payment of any further supply of corn. Sir, I trust that this is a state of things very different from the " shame and national bankruptcy" alluded to a few nights ago by the noble Lord opposite (Lord George Bentinck). I may add, that the bills which have run off in the course of the last month have been punctually paid; and I believe that the general state of trade in the country—I do not say all—is healthy and sound, and that we may hope, with prudence and caution, that commerce will slowly, but steadily and surely, revive. It has been asked, why we did not interfere sooner. I believe that an earlier interference would have defeated its own end. It will be conceded to me, that it is no light matter to

overstep the provisions of the law—of a law, too, so recently sanctioned by an overwhelming majority of this House. It was indispensable that we should be fully convinced of an overpowering necessity, and that we should have the information upon which we were to act from the most unimpeachable authority. In April, representations were made by commercial men hardly less strong than those made in the early part of October. We were told that two or three millions sent down to Liverpool was the smallest sum that would save the whole of the commerce of that town from ruin. But what happened? No such sum was sent down; no failures took place; the alarm passed of; and it is clear that there was no necessity for our interference. Even many of the representations made in the early part of October were falsified by the result. Hazards and dangers held forth as imminent turned out to be chimerical. It was necessary before we were justified in acting, that we should be convinced that, in addition to the want of capital, which we could not supply, a degree of alarm and panic was acting upon the commercial world which reason could not dissipate, which threatened serious consequences, and to remove which our interference might be availing. It would have been absurd for us to have attempted what was impossible; it would have been unjustifiable not to have attempted what we believed to be in our power. Capital we could not provide; panic, we thought, we could remove. When we were convinced of the necessity and of the possibility of effectual interference, we did not hesitate to act, and I think I have shown that we have acted successfully. It is said further, that we ought to have abandoned altogether the principle of the Act of 1844, and to have adopted much more extensive measures. We are told that the Bank is bound to discount all good mercantile paper. It did so in every instance when the bills came within its ordinary rules. We are told that even this is not enough—that the Bank is not only bound to discount every bill, but to do it at a low rate of interest, not exceeding 4 or 5 per cent. We are told that it is unheard of that the Bank of England should not advance any sum of money that may be asked for on approved security, and that also at low interest; that to charge such rates as 7 or 8 per cent is scandalous usury. It is only necessary to state these demands to show that, if they are complied with, it is useless to talk of a convertible currency. To those who advocate an inconvertible currency—who ask for a large issue of paper, with a view to their ultimate object of depreciation of the standard, it would be idle for me to address myself. I wish to address my arguments to those who are prepared to maintain the convertibility of the currency. They will admit, that at some time or another a check must be applied to any such issue at a low rate of interest as I have alluded to. Be it sooner or later, there is a time when, if we wish to preserve the convertibility of our paper, the Bank must take some decided step for this purpose. This has been so ever since 1819; and, in truth, so long as we maintain a convertible paper currency, it must be so. The complaint in the present instance is, that the step taken was unnecessary, because there were at the time eight millions of money in the coffers of the Bank. But we owe much to that eight millions. We owe to it our present safety. The step we took was not adopted until the exchanges were decidedly in our favour—until the influx of bullion was well assured; and then, with eight millions in the coffers of the Bank, we felt that we were safe; for no run could materially affect the Bank with such an amount of gold in its vaults before the arrival of bullion from abroad would have replaced what was drawn out at home. But to what are we indebted for the possession of that eight millions, but to the operation of the Act of 1844? To what extent some Gentlemen would have relaxed the provisions of that Act I know not; but this I do know, that had they been altogether lost sight of, we should have had no security for the possession of any bullion at all. For nine months, from August, 1846, the Bank had suffered a drain of bullion without having taken any effectual steps for its protection. What would have been the result if no check had taken place in April, and if the Bank had gone on uninterruptedly in its previous course? It seems to me clear enough that an enlarged issue would have turned the exchanges against us, and the drain would have gone on without interruption. The demand for capital was heavy, and the exchanges were barely in our favour during the summer. Not above a quarter of a million of bullion was purchased during that period by the Bank. If it be maintained, that by the issue of notes the Bank can supply a want of capital and a deficiency of credit, then I should like to

know when, and how, any check would have been put upon the over-trading and over-speculation of the country. I have stated that thirty-eight millions would have been the amount required in the last six months of this year for railways, had there been no rise in the rate of interest, and no difficulty experienced in borrowing money. If, then, this demand for capital could have been supplied by an unlimited issue of bank notes, and the rate of interest at which they were advanced had been low, the railroads would have swept away more than the whole circulation of the Bank of England. I need not say that this could not really have taken place; but such a result is not inconsistent with a principle which confounds capital with circulation. The actual result would have been, that over-trading would have gone on for a much longer period; the demand for railroads would not have been checked so soon; but sooner or later the time must have come when stringent measures would have become necessary on the part of the Bank; and the longer this state of things had existed, the more sudden that check must have been. It is unnecessary to do more than to refer to the effect of the sudden check in April, to show what would have been the effect on the trade and commerce of the country of sudden and stringent measures when the necessity did arise. But the necessity would, too probably, have been very different from what we have seen. If the drain of bullion had gone on —if the amount in the coffers of the Bank had been diminished, as has been the case heretofore, to two or three millions—the publications of the state of the Bank stating accurately the facts week by week —does any body suppose that, under those circumstances, the alarm would not have taken the course of a run upon the Bank of England for gold? In order to preserve the convertibility of their paper, under such circumstances, the Bank must have had recourse to the very strongest measures. Commercial distress, much more extensive alarm, deeper and more widely spread than what we have experienced, must have ensued. The Government would then, as now, have been called upon to interfere; but instead of the measures to which we have actually had recourse, and which we have now withdrawn, with no disturbance of commercial confidence, we should, in all probability, have been in imminent danger of a suspension of cash payments, and Her Majesty's Government might have been placed under the necessity of coming to Parliament or issuing an Order in Council for that purpose. I cannot but consider that such a necessity would be one of the most serious calamities which could befal the country. And if we have avoided that danger, it is to the operation, in the early part of the year, of the Act of 1844, that we are indebted for being saved from it. A pressure on the commercial interest was necessary and inevitable—that we could not prevent; but when that pressure was exaggerated into a panic, then we did not shrink from the responsibility of the course we adopted. I believe that by that course we did avert the evil consequences which were likely to have ensued. I am not prepared to say that all difficulty and pressure are over. I stated, at the close of the last Session of Parliament, that I thought we still had hard times to go through, and I think so still. Independently of other circumstances, so great a calamity as the destruction of the food of a large portion of the people of a country—so fearful a visitation of Providence—cannot occur without producing some pressure, in their turn, upon all classes of the community. I confess, however, I was astonished when I heard hon. Gentlemen regard the importation of food, in the last fifteen months, as at all analogous to importation under the ordinary operation of free trade. When we bear in mind that this importation has taken place under the pressure of famine, it is utterly unreasonable to say that the circumstances which we have recently witnessed are only the consequences always anticipated by some parties from an altered system of the importation of corn. It does indeed seem to me a most extraordinary delusion to attribute these consequences to free trade. We had pressure and panic under the protective system of 1829; we had pressure and panic under the mitigated protection of 1837; and we have now pressure and panic in the state of change through which we are passing from protection to free trade. I am not prepared to deny that any change is in itself an evil. The ultimate result may be beneficial, but it is difficult for a great change to take place without inflicting some transitory evil. I never held out any expectations that no evil would arise from the changes now in progress. We have seen the fair side of the picture in the prosperity of the last two or three years. But nobody contended that the whole of the prosperity of these

years was owing to free trade. They were marked by good harvests — by constant employment of the people, and by the development of our industry as applied to railroads. Now, we have the dark side of the picture. The harvest of 1846 was not abundant, and there was a failure in the potato crop, and a consequent rise in the price of corn; but as it is unjust to attribute the prosperity of the preceding years exclusively to free trade, so it would be just as unfair to set down our present reverses to the same cause. I am in no degree shaken in my opinion of the soundness of the principles of free trade, and I trust and believe, that when the system of free trade is firmly established, the basis of our prosperity will be strengthened and extended. It must not be forgotten, too, that for years we have had a falling rate of interest. The rate of interest has risen within the last year, and that is a state of things inconvenient to borrowers and to persons in distressed circumstances. It presses upon persons having charges upon their estates, and upon those who require borrowed capital for their business. This, however, is not the consequence of a diminished issue of bank notes. It is produced by the insufficiency of the supply of capital to meet the demand for it. Interest is the sum paid for the use of capital, and when capital is scarce, and the demand for it is increased, a higher rate must be paid for its use. Over these circumstances no banking expedient or issue of notes can exercise any permanent control. An additional supply of capital, and a reduction of the engagements based on fictitious credit, are the only remedies. The provident trader, who has confined his transactions within his legitimate means, has preserved himself from the calamity; and sorry should I be, even it were possible, to adopt any measure which would operate as a premium on improvidence. I am not at all surprised, however, when I hear all the misfortunes of the day attributed to the Act of 1844. We cannot forget that after the passing of the Act of 1819, there was hardly a calamity which affected the commercial, agricultural, or manufacturing interest, for some years, which was not in like manner attributed to that Act. On that point, however, we are wiser now. Those who attributed evil effects to the Act of 1819, are few in number; and I believe that the great majority of the public are convinced that it was an Act most beneficial to this country. In like manner, I confidently anticipate that when the immediate pressure of the present time is over —when Gentlemen calmly and impartially look back on the events of the last few months—they will be inclined, as I am, to attribute a very small portion indeed of the evil to the effects of the Act of 1844. A complaint has been made that this Act has not preserved us from commercial convulsion. I think that those who expected such an effect from it, much miscalculated the motives by which persons engaged in commercial transactions are actuated. Certainly, for one, I never held out any such expectations to the country. I stated most distinctly that I did not contemplate that such would be the effect of the Act. I expressed my belief that speculation might be carried on, that prices might be forced up, and that persons might be ruined by the collapse; but I did say that this end might be attained by that measure—that we might prevent an additional stimulus being given to a rise of prices and undue speculations, by the influence of an ill-regulated currency, and that this was the duty of the Legislature to attempt. I will answer also for those who are absent. I hold in my hand the pamphlet published by Mr. Jones Loyd, from which I have already quoted; and what were his expressions as to the Bill of 1844 ?—

> "To guard against commercial convulsions is not the direct or real purpose of the Bill. To subject the paper issues to such regulation as shall secure their conformity in amount and value with, and consequently their immediate convertibility at all times into metallic money, is the purpose to which the provisions of the measure are avowedly directed."

Those were the objects for which the Bill was introduced, and I do not think that any reflecting person could believe that it would prevent commercial convulsions. I should have little faith in any system of currency which professed to accomplish more than to regulate the circulation. The object, then, of that measure, as I believe, was to insure a variation in the amount of our mixed currency of paper and coin, in the same manner, and at the same times, as a metallic currency would vary. But to bind down our circulation within these limits is represented as far too restrictive a system for a commercial country like England. The currencies of the two greatest seats of continental commerce — Holland and Hamburgh—are peculiarly metallic currencies. For every note issued, bullion must be deposited in the bank, and there-

fore the amount of their notes must vary exactly as a metallic circulation would vary. Did anybody ever hear that those States were free from commercial convulsions? Were these convulsions ever attributed to their systems of circulation? No person, so far as I know, ever attributed them to any other source than to those alternations of trade which occur in all commercial communities, under any and every system of currency. But our system is not more restrictive than theirs. We are told, indeed, that the Act of 1844 prevents any increase of bank notes; but, on the contrary, it enables any person to convert into bank notes any amount whatever of bullion which he may choose to carry to the Bank, and authorises the issue of notes to the extent of 14,000,000*l.* besides, on security. The Bank cannot refuse to give notes for gold; and it is therefore in the power of any one to increase the amount of bank notes, by demanding them in exchange for bullion. In the summer of 1846, and for some time before, the notes out of the issue department were more, by some millions, than the public required to have in their hands. It can hardly be said, that a system in which this could take place, prevents any possibility of an increase of circulation. The same effects precisely might have occurred under a metallic circulation, as have occurred under our mixed currency; and the advocates of the Act of 1844 never professed that its operation would produce any other result than that which might have happened under a metallic circulation. The system of our mixed currency is attended by greater convenience, and some economy; but as regards any possible influence on the transactions of the country, no one of its advocates, that I am aware of, ever professed that any other effect would be produced by it than would be the case if there was not a single bank note in existence. It is perfectly true that the amount of reserve in the Bank at the end of the summer of 1846, was such as not to render necessary any diminution of the notes issued to the public. It was perfectly consistent, I admit, with the provisions of the Act, and there was no legal obligation on the Directors of the Bank of England to act otherwise than they did. I think it would have been wiser and better if they had given a timely warning; but the option of doing so evidently rested simply on the discretion of the Directors. I do not think that, during this period, that discretion was wisely exercised. It is utterly impossible that an establishment possessed of so large a capital should not exercise a most powerful influence either for good or for evil on the commercial interests of the country, and it is, therefore, a matter of vital importance that the management of the Bank of England should be conducted soundly and wisely. I am afraid that recent events have somewhat shaken the confidence of the public in the direction of that Bank. It may be difficult to suggest a mode of improving that management; but of this I am sure, it is a subject well worthy of consideration, and one, perhaps, that may form one of the most useful subjects of inquiry by the Committee for which I am about to move. I believe that although the Bank Charter does not expire for some years, we shall find that the Bank Directors will not be indisposed to concur in any measure which the wisdom of Parliament may devise. I understand they find some difficulty in inducing persons to undertake the heavy and responsible office of Governor; and I am certain they will gladly co-operate with the Government and the Legislature in any measure which may be calculated to improve the present system. I am anxious, now, not to go into any of the controverted points connected with the currency, I intended to have referred to them no further than was necessary to illustrate the view which the Government has taken of the present state of affairs; but I fear, Sir, I have stated those views at too great length, and I will trespass for a very short time longer on the patience of the House. I am not ignorant that there are many gentlemen of great authority, and of great experience, as well as of practical acquaintance with business and commercial affairs, who differ from us in their view of these matters; but I am aware also that they differ to no inconsiderable extent on those points among themselves. In the opinion of Her Majesty's Government it is most desirable that all these views—differing as they do one from the other on a subject of vital importance—should be well and carefully considered. We think it unadvisable that so soon after events which have excited so strong a feeling, any attempt at legislation should be made, because there is no subject in which the exercise of calm deliberation and impartial judgment is so indispensably required; but we do think it expedient that this inquiry should take place when all these events are fresh in the mind, and present

in the recollection of all those who conduct the inquiry, and of all those who may appear before the Committee as witnesses. Within the last year and a half events have occurred well calculated to throw light upon the subject, and to illustrate it practically in every point of view. There are few, perhaps, of those hon. Gentlemen whom I now address who can say they have not learned something from the experience of the last eighteen months; and, for my own part, I frankly confess, that I think it most desirable that a Committee should be appointed to investigate the various systems which are maintained on the subject, and that persons of every variety of opinion should be named on that Committee, so that by the collision of their different views additional light may be thrown on this most complicated and difficult question. Sir, this is not a party question. This is no subject for party feeling. There are many hon. Gentlemen in this House who have taken the most decided part against the Act of 1844, who voted for it three years ago. The noble Lord the Member for Lynn (Lord George Bentinck), the hon. Member for Huntingdon (Mr. Baring), the hon. Member for the city of London (Mr. Masterman), and the hon. Member for Oxford (Mr. Henley), voted for the Bill. [Mr. Henley said, that he had not voted for it. He voted for the Amendment of the hon. Member for Birmingham.] The hon. Gentleman voted for the second reading of the Bill. Hon. Members may have seen good reason to alter their opinion. I do not deny that circumstances have occurred which may have produced that alteration of opinion; but I do hope and trust that this measure will not be considered in any party spirit by any hon. Member of this House. For myself, I confess I shall go into Committee biased one way, certainly, by the result of the inquiry which took place in a former Committee, of which I had the honour to be the chairman; but I certainly shall also go into it, as I hope and believe that other Gentlemen will do also, with the fullest determination to weigh impartially all the evidence and all the considerations laid before us; and I trust and believe that this investigation, conducted before a fairly constituted and impartial Committee, will tend to promote the best interests of the empire. The right hon. Gentleman concluded by moving for a Select Committee, as above.

Mr. BLEWETT having made some observation to the Chancellor of the Exchequer, which was not heard in the gallery,

The CHANCELLOR of the EXCHEQUER again rose and said, I have been reminded by an hon. Friend behind me, that I had promised to state the intention of Government with respect to any immediate alteration or suspension of the law. I beg to inform the House, therefore, that it is not the intention of Government to propose any measure of this kind. I believe that there is not the slightest probability of any such circumstances occurring as have recently taken place, and as could render any such measure necessary. I also believe that the state of the Bank at present is such that no one can entertain the slightest apprehensions of its not being prepared to meet any demand upon it. I hold in my hand a letter containing the state of the Bank last (Monday) night. From this it appears that the amount then in reserve was 5,800,000*l.*, in round numbers, and that the amount in bullion was 10,600,000*l.* The mere statement of these sums is quite sufficient warrant to the House that there is little probability of there being any occasion for any immediate measure of the nature contemplated by the hon. Gentleman being required. The Government have shown that they are not disposed to shrink from responsibility, if there is any need of interference; and whilst Parliament is sitting, we have the power of coming to the two Houses for legislative sanction to any measure which we may think is called for by any emergency. I trust that this statement will be satisfactory to the House, and will prove to them that there is no necessity for any immediate measure being adopted.

Mr. JAMES WILSON: Sir, I am sure, in rising to address the House for the first time, I shall not in vain claim your indulgence, for several reasons obvious to all. Not only must I claim it on account of this being the first time I have had the honour of addressing you, and on account of the important subject to which I am about to apply myself, but because I have been recently suffering from indisposition. I certainly agree with the right hon. Gentleman the Chancellor of the Exchequer in the necessity there exists for granting an inquiry into the question; and it is because I do so that I have thought it necessary to move the Amendment to the Motion of the right hon. Baronet which I intend to submit to the House. It does

appear to me, Sir, that the right hon. Baronet the Chancellor of the Exchequer has made his Motion inconveniently extensive, and that from the terms in which it now stands the time of the Committee may be occupied by various matters foreign to its purpose; and the only object I have in moving my Amendment is, if it should obtain the sanction of the House and be eventually carried, that the objects for which the Committee shall be appointed may be more confined than by the Motion of the right hon. Gentleman. As the Motion stands now, it would introduce into the consideration of the question before the Committee any subject which any hon. Member might conceive to be the cause of the recent commercial crisis. If I understand rightly the object of Government in proposing this Committee, the views of the right hon. Baronet in moving for it, and the desires of the country at large, their great object at present would be to confine the consideration of the Committee to the question of banking and currency. It would not be difficult, as we have seen, Sir, to conceive that many hon. Members may think it necessary to introduce to the Committee a variety of topics completely different in their nature from those which the right hon. Gentleman the Chancellor of the Exchequer wishes the Committee to discuss. Sir, there never was a period when the question of currency and banking at large claimed anxious attention on the part of the country to such an extent as at present. I observe that a great portion of those Gentlemen deeply interested in commerce and banking, whose opinions have been laid before the Government, have been materially shaken in their views during the last few months by the events of the past; and by none of them more than by the necessity which was found to exist for interfering with the operation of the Act of 1844. That interference, necessary as it might have been—and I, for one, will not deny that it was—has produced on the public mind a want of confidence in the existing law which cannot be removed until you have sifted the subject to the bottom, and have given a deliberate opinion with respect to the operation of that law. The questions which every one connected with trade or commerce—every one with obligations to undertake, and future responsibilities to meet—the questions, in fact, of all others, which every one with interests at stake asks, are these: Is the law of 1844 to be maintained in all its integrity? is it to be subjected to such modifications as the pressure of circumstances may call for? or, if not, is it to be abandoned altogether and a new law framed in its place? I believe, until some definite answer is given to those three questions, that that confidence will not be restored which existed in the public mind previous to the last three months. But, Sir, I apprehend there are good reasons why the Committee should be confined strictly to the subject of banking and currency. Are hon. Members aware of the position in which the question was left in 1841 by the very last Committee appointed to inquire into it? In 1840 a Committee was appointed to inquire into banking and currency, rather, however, in reference to the effect of the Bank Charter, than to the question at large. The result to which the Committee came after two Sessions of laborious investigation was, that they were unable to present any report to the House, as there was a sudden interruption to their labours by the dissolution of Parliament in 1841. Of that Committee the right hon. Baronet the Chancellor of the Exchequer was the very efficient chairman, and the right hon. Baronet the Member for Tamworth (Sir R. Peel) one of the most efficient members; but will the House allow me to read the conclusion to which they came, and which they presented to the House? The last two paragraphs of it are as follows:—

"With regard to the evidence which your Committee have taken, they, in the first instance, examined several witnesses, who stated generally the evils which in the last few years had, in their opinion, been caused by the management of the circulation. They then called before them two of the Directors of the Bank of England, who have given detailed information as to the management of the affairs of the Bank. It was their intention to have proceeded in the next place with the examination of such witnesses as might have afforded similar information respecting the management of other banks of issue. Towards the close, however, of the examination of the witnesses on the part of the Bank of England, it became evident that it would be impossible, during the present Session, to conclude the evidence of the witnesses connected with the other banks of issue; and under these circumstances your Committee thought it more advisable to postpone the examination of this class of witnesses, and to summon one or two persons who were known to have paid particular attention to the management of the Bank of England, and whose evidence upon this point it was, therefore, desirable to have before them. Your Committee trust that this statement will sufficiently account for their not reporting any opinion to the House on the main subject of their inquiry; and they feel that they shall best discharge their duty by merely sub-

mitting to the House the evidence which they have taken, although they are fully aware of the imperfect character of that evidence, arising from the circumstance of their having been prevented, by the approaching termination of the Session, from examining witnesses whom they had proposed to call on other important branches of their investigation."

This was the way, Sir, in which this long and protracted inquiry, which sat from day to day for so long a period, terminated. No further inquiry was instituted into the subject. Parliament proceeded to legislate without further inquiry; and when I turn to the evidence taken before that Committee, and find the strong difference of opinion expressed by various parties of equal experience and intelligence, I cannot but feel that Parliament did not do all that was necessary, before the Act of 1844 was passed, to ascertain the principle on which it should be based. I think the fact of the question having been left in this unfinished way is one of the very best reasons why it should be taken up in a Committee on banking only. But there are other considerations which will render a Committee on banking peculiarly apt and necessary at the present time. I do not think we can say that public opinion has become more uniform on this question. I think we must admit there are as many different opinions, supported with as much strength and spirit, and by as large parties, as ever there were; and I think we must also admit that the operation of the Bank Bill of 1844 is now undoubtedly a question on which the public mind is exceedingly anxious, and is a fit subject for inquiry. We cannot say that even the law of convertibility is more generally admitted than it was in 1841. This, however, is a question I do not intend to go into at present; but there is another view which has been started since, and which has become popular, being entertained, as I have reason to know, by many hon. Members of this House. There are many who say we admit the necessity of a fixed standard of value, and the convertibility of notes into this standard; but we ask, why should we have a fixed price of gold? I believe this is a question which is more generally asked than before, and which is demanding more attention from the public in consequence of the regard paid to commercial subjects of late years. If it were attempted by this House to fix the price of gold, or of any other commodity, I could not conceive a more futile or foolish attempt. I think the discussions of late years which took place in this House show how futile and foolish have been the attempts to fix the price of corn, or to regulate the price of any commercial article. To those Gentlemen who ask, then, why we fix the price of gold, I simply say that in the ordinary meaning of the word "price" we do not fix the price of gold. But when we say that we fix the price of gold, all that is meant is, that we determine the quantity of coin that shall be made from an ounce of gold; that we simply determine that from every ounce of gold shall be coined 3*l.* 17*s.* 10½*d.*—that is, three sovereigns, and 17*s.* 10½*d.* towards a fourth sovereign. We no more attempt, in fact, to fix the price of gold, than we attempt to fix the price of wheat, by saying that a quarter of wheat shall always represent eight bushels. And this opinion had been prevailing in the public mind to an extent which I could scarcely believe possible were it not for the evidence of the journals—a circumstance to which the unfortunate term of "fixed price" has no doubt contributed. But when it is contended that we do not fix the price of gold, Gentlemen turn round and say, "You have two prices for gold—the Mint price, at 3*l.* 17*s.* 10½*d.*, and the Bank price, at 3*l.* 17*s.* 9*d.* If you take a quantity of gold into the Bank, they give you 3*l.* 17*s.* 9*d.* an ounce for it, and charge you 1½*d.* an ounce for their time and trouble in coining it. If you go to the Mint, you receive 3*l.* 17*s.* 10½*d.* for your solid bars of gold; so that you must submit to pay the Bank 1½*d.* an ounce for the convenience of receiving coined money in exchange, and to remunerate them for their loss of interest and time. It is not uncommon to advert to another subject that interests the public even in the present day, to find gentlemen of some influence advocating a recurrence to the usury laws; but I believe this Committee will rather have to report to the House that it is extremely inconvenient that any portion of the usury laws should have been left in existence; and I am sure that many hon. Gentlemen can bear me out in saying that the usury laws have been a great evil, and can bear witness to the inconvenience to which landlords have been exposed by having retained what they thought would be a privilege to themselves, while they permitted merchants and traders to pay more than 5 per cent for accommodation. I know that recently very much inconvenience has been experienced in Scotland by the impossi-

bility of obtaining money on heritable bonds. I know that a man may evade this law, and go to his banker with a bill of exchange, and pay 10 per cent, leaving an heritable bond as collateral security; but is that a proper mode of obtaining money by evading the law—is that a position in which the great interests of the country should be placed? As the legislation on this subject stands, we are obliged to recur to evasions of the law, in order to follow out the mercantile affairs of the country. But, Sir, I feel confident that the result of the inquiry by this Committee will be—not that there should be a re-establishment of the usury laws—for I believe nothing has done so much to save credit and commerce during the recent crisis as the repeal of those laws—but a recommendation that the last remnant of them shall be swept away. The next thing we find occupying the public is a subject having the high authority of a noble Lord—justly high from his character and opportunities of knowledge on a commercial question—the establishment of a double standard of currency. There is nothing in my estimation so astonishing as to find any one with the experience in commercial life of large monetary transactions possessed by the noble Lord (Lord Ashburton), advocating the theory of a double standard of value. I do not know how the Bank could discharge its liabilities if we permitted it. If it were adopted, I believe that during the late distress, and now, there would have been no complaint so popular among the public as that the Bank had the power of paying its notes in a different metal from that for which they were issued, and that they might at one time, when gold and silver were dear, purchase them by issuing their notes, and could at another time redeem those notes by the cheapest metal they had. There is nothing so conclusive as that you should be ready to maintain the standard you adopt. There are many people who speak of the great inconvenience that has been felt during the last year by merchants who import the precious metals from abroad, being unable to convert silver into notes; and therefore it is becoming, particularly in the city of London, a most popular proposition that the Bank should be allowed to issue notes for silver, but that it should be obliged to redeem them in gold. It appears to me most unreasonable to ask the Bank to issue notes in any commodity, except that in which they are bound to redeem them. Why, Sir, this proposition is equivalent to asking the Bank to issue notes on sugar, which may change in price from day to day, and to redeem them in gold. It is quite clear that to purchase gold is as easy for the Bank as to purchase silver. When the Bank had 16,000,000*l.* in its coffers it was not necessary for its convenience to hold silver; and when the bullion was drawn out to correct foreign exchanges, it was equally convenient to take silver as gold. I do not see, therefore, any reason why the Bank should hold any portion of silver, except that which is confined to the purposes of supplying the subordinate silver coinage of the country. It is quite clear, that whatever bullion is held, is insomuch an abstraction of the capital of the Bank for the purposes of banking, and that this capital may be as conveniently invested in gold as in silver. I therefore believe the more we inquire into the subject, the more we shall be disposed to think that to hold against the notes in circulation anything but the bullion in which the Bank is compelled to pay them, is not desirable. But there is another reason why commercial gentlemen who advocate this view are in error, and that is, that the silver bullion which comes into this country is more efficient in the hands of private persons, for the purpose of regulating the exchanges, than if it were in the hands of the Bank. I believe, if we import silver from South America, or elsewhere, be the importer Baron Rothschild or not, we make as good use of it in his hands, for the purpose of correcting the exchanges against us, as if it were all under the control of the Bank. Another subject which is also obtaining considerable favour in the city is, that the Bank, in order to have a greater power of correcting the foreign exchanges, should always hold as a portion of its securities a considerable amount of the stock of foreign States; so that in case the exchanges were against us, it could send them into the market to check this effect. But to this proposition I give the same answer as to the last, for I believe this stock is much more useful for this purpose when it is in the hands of private individuals. The fact is, that the country does hold a large portion of such securities; and that when the exchange is against us, they are the very first means sent into the market, because the prices here are lower than they are at Paris or Amsterdam. Foreign securities, therefore, are, as I said before, much safer in the hands of private merchants than in

those of the Bank. I believe the less you make the Bank a commercial establishment, and the more closely you confine it to its simple object of banking, the more you render it fit for its real purposes, the more simple its management, and the more certain its operations. But, beyond these general objects of inquiry, I cannot but feel what has occurred with respect to the Bank Act of 1844 presents in itself an ample field for investigation. It is impossible to deny that there has been very great disappointment with respect to the operations of that Act. I do not say that the public did not exaggerate the expectations that were reasonably to be founded of its operations for good; but I must admit that hopes were distinctly held out, not only by the right hon. Baronet who proposed it, but by every one of the Gentlemen who supported it, that the effect would be materially to lessen speculation—to diminish the fluctuation of prices—to check those changes which had taken place in the currency—and certainly to lessen the chances of panic and distress. I am quite free to admit, that the right hon. Baronet the Chancellor of the Exchequer, as well as the right hon. Baronet opposite (Sir R. Peel), did materially modify his observations on this point; and the very eminent writer to whom the Chancellor of the Exchequer has referred, has also materially modified the expectations he at one time expressed with respect to the measure; but I must also say, that the same eminent writer (Mr. Loyd), in the pamphlet to which the Chancellor of the Exchequer referred, in remarking on the previous state of the currency, did most distinctly hold out similar expectations. [The hon. Gentleman read an extract from Mr. Loyd's pamphlet, in which the writer comments on the distresses of 1825, 1837, and 1839, as being the fruit gathered under the old system of currency, and proceeded to say, "We are now about to adopt a different course."] But, Sir, the new system has been three years in operation, and we have had panics more extensive, fluctuations more extreme, and all the phenomena which resulted from crises in an aggravated form, since then; so that I cannot see why we are entitled to say that the Bank Act of 1844 has had the slightest tendency in reducing speculation, or in confining it to narrower limits. The former eminent writer had also referred to a pamphlet written at the time by Colonel Torrens, in which this passage occurs :—

"Legislation will preserve the circulating medium from any greater fluctuations than those which would take place were the currency exclusively metallic, and will effectually prevent the recurrence of those commercial revulsions—those cycles of excitement and depression, which, as Mr. Loyd has so felicitously explained, result from the alternate expansion and contraction of an ill-regulated circulation."

I am bound to admit that whatever the opinions of the hon. Gentlemen who proposed and supported this measure were at the time, and whatever the sentiments of the most eminent writers of the day, the public opinion was strong that we had thus obtained a degree of safety which had never been connected with any former Act; and I can bear witness personally to the fact, that I have heard many most eminent merchants in the city during the mad mania of 1845 congratulating themselves in the belief that, notwithstanding its influence, they were quite safe from any commercial convulsion in consequence of the operation of that Bill. I have heard some of the most eminent men at the head of some of those great houses which have fallen recently during the last crisis, console themselves by the belief that from its self-acting principle the Bill would save them from the revulsions which had formerly happened, so that they did not think it necessary to exercise the same degree of care and discretion that they would otherwise have felt bound to observe. I believe, Sir, the expectations that have been expressed of such a power on the part of the Bill have been modified to a great extent; but I have no hesitation in declaring that they did much mischief by inducing the public to rely too much on its operation, and not upon their own prudence and discretion. I think, Sir, that to this Act may be attributed (and in saying so much I shall go no further, but rest content with the assertion) those inconveniences which have been justly attributed to every interference made by the Legislature with the commerce of this country, for the purpose of protecting and guarding it. I believe that every law affecting to protect commerce, and to supply to the public those advantages which should be the result of care and prudence, thus have *pro tanto* the effect of throwing them for reliance, in seasons of distress, on the provisions of an Act of Parliament which professes to regulate commerce and banking. What, I may ask, is the fundamental principle of the Act by which the currency is now regulated ? After looking to the evidence taken

before the Bank Committee of 1840 and 1841, as well as to the speech of the right hon. Baronet the Member for Tamworth, who introduced that Bill, I believe I may safely say that the principle on which it is founded is, that the circulation of notes should be regulated by the foreign exchanges. Now, Sir, I have taken the greatest pains to discover, by the examination of the evidence taken before the Committee, by a close examination of the speeches made in favour of the Bill, and of everything written in its favour; and I must say, that to this day I have been able to discover no one reason to induce me to believe that you either could or should attempt to regulate the internal circulation of the country by the foreign exchanges. But, Sir, on that account is it to be inferred that I would have bankers neglect the state of the foreign exchanges? By no means. There are other reasons why bankers—not only bankers of issue, but bankers of deposit as well—should watch the state of the foreign exchanges, just as closely as a merchant watches the state of imports and exports with regard to the commodity in which he deals; because the foreign exchanges are indications of the increasing plentifulness or scarcity of the commodity in which the banker deals. But whilst I disagree with the right hon. Baronet the Chancellor of the Exchequer in believing that the internal exchanges of the country can be regulated by the state of the foreign exchanges, I am at least glad to find that I agree with the right hon. Gentleman, and all those Gentlemen who concur with him in supporting the Act of 1844, to a very great extent at least in the principles they profess. First of all, I agree as to the preservation of convertibility; next, as to the preservation of the integrity of the single standard of value; next, in preserving the principle you lay down, that whatever a currency may be, be it a metallic currency, or a mixed currency of metals and paper, that currency cannot be based on a sound principle unless in all its fluctuations and changes it conforms to what a metallic currency would be. That principle I maintain in its fullest extent, and unless I can maintain that, I maintain nothing. Paper should not be admitted as circulation, unless we can show that the changes of its quantity and value would conform precisely to the changes which would take place were the currency purely metallic; that I entirely give to your side of the question. Moreover, I go further, and say that the object of your banking regulations should be to throw a pressure over a longer period, and to make the pressure of scarcity felt at an earlier period in order to prevent its greater intensity at a later period; and upon that part of the question I most cordially agree with the observations made by the right hon. Baronet the Chancellor of the Exchequer this evening. I think his observations were most sound. He showed to my satisfaction, and I believe to that of most who heard him, that had the intensity of the late pressure been longer delayed by retaining the rate of interest at a low price, it is impossible to conceive the extent of the disturbance to which this country might have been exposed. And, therefore, whilst I do not agree with you that you can regulate the internal circulation, or that if it were possible it would be desirable to do so by the foreign exchanges, yet in all the great and essential parts of your argument, I most cordially do agree. Now, what is the theory on which the Bank Act of 1844 is framed? As far as I understand that theory, it is, that as the exchanges fall you should contract the circulation—that with the contraction of the circulation prices will fall—that with a fall of prices an exportation of commodities will take place, the importation of commodities will be suspended, and thereby your foreign adverse exchanges will be rectified. I believe, I state truly the principle on which that Act is founded, when I make use of these words. Now, Sir, this theory implies a power on the part of the Bank to contract or expand the circulation of its notes at pleasure. That, Sir, is a power on the part of the Bank which I utterly deny. I deny that it can be shown by any kind of reasoning that the Bank of England has the power either to expand or contract its circulation at any specific moment when it may wish so to do; or that if it does expand or contract its circulation, it can only be by the substitution of coin for notes in the one case or the other; and I, for one, am at a loss to know how the Bank of England would be benefited if, in the attempt to contract its circulation forcibly, it were obliged to do so by the issue of sovereigns from its vaults. I deny that the Bank of England has power to contract its circulation of notes, unless by substituting coin for them. Before I go further, I will allude to a remark made by the Chancellor of the Exchequer this evening, when he

stated what in his estimation constituted the circulation. It is essential that we should agree what the term circulation means. I know there are some Gentlemen who have latterly maintained that the circulation of the Bank of England consists in the quantity of notes issued to the banking department; but I was glad to hear the right hon. Baronet admit that, in his view, the word circulation meant the quantity of notes in the hands of the public. [The CHANCELLOR of the EXCHEQUER: Together with Bank post bills.] I certainly did understand the Chancellor of the Exchequer to mean, that by the word circulation, he understood the notes in the hands of the public; and I must, at all events, maintain, whether I have the privilege of agreeing with him on this question or not, that you can attach no other meaning to the word circulation than the notes in the hands of the public; and if you come to look to the action which you assert circulation to have upon prices, that, to my mind, is conclusive that you can mean nothing else. Will any one pretend to say, even on the theory maintained by Mr. Loyd, that notes lying quiescent in the drawers of the Bank can have any influence on prices? When we talk of circulation under the new Act, we must mean something analogous to what circulation was under the old law. The whole of Mr. Loyd's argument, in his pamphlet of 1841, alludes to what the circulation was under the old law; and under that law there never was any pretence for saying that circulation meant anything else than notes in the hands of the public and bank post bills. Therefore, when I use the word "circulation," I shall be understood to mean notes in the hands of the public, and not to include those quiescent in the hands of the Bank. I say, then, I think it impossible that the Bank can either contract or expand the quantity of notes at pleasure; and for this simple reason, that so long as you have convertibility that determines the amount. I believe we are indebted solely to the right hon. Baronet's Bill of 1819 for the principle to which I am going to allude. I believe the reasoning which Mr. Loyd has used in his pamphlet, has arisen altogether from a singular misconception of the effect of a convertible currency. I believe that with an inconvertible currency the issuer has the power either to contract or expand its amount. But with a convertible currency, the measure of the quantity is that which the public require. Every person will admit that, as a rule, no one holds a larger quantity of notes in his possession than is convenient for the general purposes of his trade, and, therefore, if the Bank wanted to contract its circulation, it could only do so by withdrawing from circulation a portion of those notes which are absolutely necessary for performing the internal transactions of the country. Let us try its effect by supposing that the Bank is determined to contract its circulation; what means will it take to do so? We shall suppose the Bank determines to sell 500,000*l.* of Exchequer-bills or any other securities. The Bank sends to its broker 500,000*l.* of Exchequer-bills; he goes on the Stock Exchange to dispose of these securities; he sells them to five individuals, we shall suppose. He receives from those five individuals a check for 100,000*l.* each on their banker; very possibly it may be on the Bank of England itself; but whether or not, it will make no difference in the operation. The bank broker takes the five checks into the Bank of England; if the parties who draw those checks hold deposits with the Bank, the simple operation that takes place is, that their account is debited with the check; the deposits in the Bank become less by that amount, and the cash in the Bank reserve becomes more; but the circulation of the country is not affected. Not a single bank note is taken out of the hand of its possessor by that operation. On the other hand, if the checks are taken to bankers in Lombard-street, the agent of the Bank of England receives notes in exchange for the checks he places in their hands. These bankers have not held a larger amount of notes in reserve than was necessary for carrying into operation the transactions of their business; if they find the demand larger than can be spared with convenience to themselves, they send over to the Bank of England and obtain 500,000*l.* in bank notes in exchange for their own checks. Take it which way you will, the transaction ends simply in a transfer of 500,000*l.* from the securities to the reserve of the Bank; it converts securities into reserve, but it does not affect the circulation of the country in any way as far as I can discover. The same would take place if the Bank determined to increase the circulation. If they were to decree an increase of the circulation, they would purchase securities to the amount fixed upon—say half a million. They would send their broker on the Stock Exchange to purchase 500,000*l.* worth of

securities, and the seller would go to the Bank and get bank notes to that amount. It is quite true, that for a few hours 500,000*l.* in notes are out of the Bank of England more than were in the morning; but it is just as true, that the parties who sold those securities place those 500,000*l.* of notes with their own bankers, or perhaps in the Bank of England, that same afternoon; and as the bankers of London hold no larger reserve for their transactions on that day than on the day before, they return to the Bank for their own account the 500,000*l.* notes given for the purchase of securities; so that in that case, all you have accomplished is to add to the securities in the Bank by the sum of 500,000*l.*, and diminish the reserve to the same amount. The theory, then, on which this Act has been founded is, that convertibility on demand is not a sufficient guarantee against depreciation. And I have yet to see produced any evidence whatever, either in this or any other country, that a note which was perfectly convertible at all times at the pleasure of the holder has ever been depreciated. I have yet to learn how it is possible that such a note can be depreciated; and until I see some reason why a man holding a 5*l.* Bank of England note, and finding it not equal in value to five sovereigns, but having the privilege of going across the street and exchanging it for five sovereigns, should be content to part with it for less, I cannot consent to believe that a 5*l.* Bank of England note can possibly be depreciated. I am glad to be supported in that view of the case by such eminent men as Mr. Horner, Mr. Huskisson, Lord Liverpool, Mr. Ricardo, and every writer of eminence prior to the year 1844. Therefore, if I prove that a bank note being convertible cannot be depreciated, I think I have done sufficient to prove that the bank note cannot be issued in excess. It is quite true that the right hon. Baronet the Member for Tamworth, in introducing the Bill of 1844, did quote several instances where he believed that depreciation had taken place notwithstanding convertibility. The first of these cases which he quoted was that of the Bank of England in 1696, where bank notes were depreciated 17 per cent. That, I believe, is easily explained— [Sir R. PEEL: I merely quoted the report of the Bullion Committee of 1810, where the hon. Gentleman will find these statements made.] I beg the right hon. Gentleman's pardon, but in the copies of his speech which I have seen— I had not the honour of hearing it—I do not see the passage made a quotation. But whether the right hon. Baronet made use of these expressions as his own opinion, or quoted them from a document as the opinion of others, it is quite necessary I should refer to them in order to explain how this apparent anomaly arose. In 1696, it is quite true that bank notes were depreciated to a large amount; but it is also quite true, that, at the very moment when that depreciation took place, a suspension of cash payments had occurred, and the notes were no longer convertible. Again, it is said that, in 1804, it required 118*l.* 10*s.* in the notes of the Bank of Ireland to purchase 100*l.* of the Bank of England, showing a depreciation to the amount of 18½ per cent. But it is also true that at that time a suspension of cash payments had taken place both in England and Ireland, and notes were then no more convertible than they were in 1696. It has also been stated, that unfavourable exchanges between Scotland and England have been rectified by the contraction of the circulation; but it should be recollected that, at the periods alluded to, notes in Scotland were not notes payable on demand; they were payable on demand, or, at the option of the issuers, six months subsequently; therefore they were precisely in the position of Exchequer-bills; they became depreciated like Exchequer-bills, and therefore are not analogous to notes payable on demand. The American banks have also been referred to, to prove that convertibility is not a sufficient check against depreciation. But I must say that a more unfortunate reference could not be made in support of this opinion. The condition of the American banks at the period referred to was analogous to nothing on earth; for their banking arrangements were as loose and unsatisfactory as they well could be. However, since the year 1840, when the banking system of New York was placed on an intelligible and sound footing, there has been no more depreciation since the law was passed securing convertibility at the pleasure of the owner. I must refer to the state of the monetary system in Russia in proof of the view I am endeavouring to advocate. Before the Russian Government made their notes convertible, they had declined gradually from 39*d.* for the rouble note, till they came down so low as 10½*d.* But in that country, for some years, these notes have

been convertible at the will of the holder in silver of the standard rate; and from that day to this, there has been no instance of a rouble note having been depreciated a single fraction. To my mind nothing can be more clear than that the law of 1819 is the most perfect security against depreciation which it is possible for any Government to enact. I want now to show that it is utterly impossible for the Bank of England, in the case of an adverse exchange, to contract its circulation. Suppose it arose from a diminished harvest, an increased price of food, an importation of grain, and exportation of bullion. What takes place at home? The circulating medium of the country is measured by the quantities of commodities that you have to exchange, and the amount of the transactions you have to perform. If, then, your prices are rising at home, how, I will ask, is it possible for banks to contract their circulation at the very moment when your increased prices and increased transactions require a larger proportion of that circulating medium than they did when prices were lower and transactions fewer? I say, therefore, that the anomaly complained of so much by those who advocate the currency theory, that the currency has been frequently observed to be increased rather than contracted at such a time by the Bank, is one of the consequences necessarily arising from the state of your internal transactions; the fact being, that the wants of the public must be supplied, and an amount equal to the price of the commodities they have to exchange at any given time must be issued. Another reason why the Bank cannot contract its circulation is, that were they to take notes out of circulation the vacuum would be immediately supplied by checks drawn on the deposits of the Bank. Therefore, as long as the Bank of England is a bank of issue, as well as deposit, it is quite impossible that it can withdraw its notes from circulation as long as there is a large amount of deposits on which the public have the power of acting simply by drawing a check. In order to show how impossible it is for the Bank to perform this assumed operation, I will call the attention of the House to what took place between the autumn of last year and the spring of this year. On the 29th of August last the bullion in the Bank amounted to 16,366,000*l.*, whilst the circulation in notes, including bank post bills, was 21,311,000*l.*, and the securities 24,804,000*l.*, of which only 12,500,000*l.* consisted of bills of exchange, or what are denominated private securities. Now, at that particular period, from causes which have been well described by the right hon. Baronet to-night, a strong adverse exchange set in against this country. Week after week and month after month, until the following April, the bullion in the Bank gradually and rapidly declined, until at last, on the 3rd of April in this year, the bullion had sunk from 16,366,000*l.* to 10,246,000*l.*; the circulation of notes had sunk only from 21,311,000*l.* to 20,815,000*l.*; but the securities had risen from 24,804,000*l.* to 30,000,000*l.*; and at the latter period there consisted of these, in bills of exchange, or what are termed private securities, an amount of 18,607,000*l.* Keeping our eye on those two periods, during which the bullion sunk no less than 6,119,000*l.*, we find that under the operation of the Bank Act of 1844 the circulation had only sunk by 496,000*l.*, whilst we find that the securities had increased by 5,260,000*l.*, and that the increase of bills on discount or private securities was no less than 6,000,000*l.* But the whole of this increased discount of bills represented in the first instance an issue of bank notes. Every one of those bills carried into the Bank from August to March represented an immediate issue of bank notes. But it is quite clear from these figures, that though an immediate issue was made, just as immediate a return of notes was made to the Bank, and bullion was taken out of the issue department in exchange for the notes given for the discount of bills. So that in fact the circulation, instead of having fallen by the decrease of bullion during the operation of the Act, remained stationary, or nearly so, during the whole period; whilst the diminution of bullion was represented by the increase of the discount of bills or of private securities. Now, Sir, I believe that in these facts we see the fundamental error which, at least in my opinion, was committed in the Act of 1844. I believe that those who framed the Bill, in common with those who supported its principles, made a great error in confusing circulation with capital. I believe their error lay in supposing that the available means of the country consisted in the amount of circulation in the hands of the public, and not in the amount of capital within the command of the public by means of discounts and advances at various periods. And, therefore, I believe that the restric-

tions which that law imposed upon the circulation of the country were unnecessary, so far as that the convertibility of the notes in circulation was, in my opinion, a sufficient guarantee against excess or depreciation, and that they thereby withdrew public attention, and especially the attention of bankers, from what I believe a far more important subject—the condition of their reserves of capital, and not of their circulation in notes. Now, Sir, this brings me to the last topic to which I shall advert. I shall now shortly attempt to show wherein I think that Bill was deficient, and to what alone I think the banking community of this country must direct their attention, in order more safely for the future to conduct their transactions, and to prevent the intensity of those crises under which we have recently so painfully suffered. Unfortunately the attention of the Legislature has never been called sufficiently, in my opinion, to the state of the deposits in banks. I believe that had half the attention been paid to the deposits of banks that has been paid to their circulation, the public would have been enlightened on this subject to such a degree that we should have had an amount of prudence in the arrangement of private affairs which, if it would not have prevented, would certainly have materially mitigated the crises through which we have passed. Now, fortunately, we have two means, and as far as I know, but two means, of knowing the fluctuations which have taken place in the deposits of the banks of this country at a recent period. The Bank Committee of 1840 collected some very important and useful documents; it obtained from the Bank of England and from the Bank of Ireland a return of the weekly state of their deposits for a number of years concurrently. In those two returns I find evidence of the most convincing character of the extraordinary changes which have taken place in the condition of the deposits, quite sufficient in my mind to account for any derangement of our commerce which has occurred; and if the House will allow me, I will call their attention to one or two extraordinary examples which occur in those returns. The returns furnished by the Bank of England divide their deposits into, first, the public deposits, and next the private, comprehending those belonging to the London bankers, those of the East India Company, those of the Bank of Ireland, and the Royal Bank of Scotland. Another item is that designated 'other deposits,' which includes the private deposits of merchants and private companies; and the next item embraces the deposits of their branches in the country. For obvious reasons, I reject from consideration the Government or public deposits, because their amount is regulated by considerations not connected with the state of commerce at any particular moment, or at least not immediately connected with it. I also reject the deposits of the East India Company, as not following the same fluctuations with those more immediately appertaining to trade. I also reject those belonging to the Bank of Ireland and the Bank of Scotland, because they will have been included in the deposits of those banks. The period I have chosen for eliciting the fluctuations which took place in this department at particular periods, is that of 1838–1839. The year 1838 was one of good ordinary prosperity. We had recovered entirely from the panic of 1837; the bullion had increased, from January to the end of the year, from 4,000,000*l.* to 10,000,000*l.*—the rates of discount had fallen to their ordinary pitch—the revenue was improving—and in every respect I should say that it presented as fair a specimen of a prosperous year as any you could select. But I will remind you, that, in the early part of 1839, in consequence of the bad harvest of 1838, a large importation of grain took place, and an efflux of bullion ensued; and towards the middle of autumn, a period of extreme depression came on, when the Bank of England was obliged to have recourse for assistance to the Bank of France. I have selected the state of the deposits during the last quarter of 1838, as representing a period of fair average prosperity, and the last quarter of 1839, as representing a period of pressure and distress. I do not think it fair to take any specific weeks; I think it fairest to take the average on whole quarters. I have taken the average deposits of each of those quarters, and I find the following result. In the Bank of England, the average weekly deposits of the London bankers for the last quarter of 1838 were 812,000*l.*; for the last quarter of 1839, under the pressure of the crisis, they had sunk to 615,000*l.* The private or other deposits in the Bank during the last quarter of 1838, represented in their weekly average a sum of 3,020,000*l.*; in the last quarter of 1839, under the pressure, they had sunk to 2,122,000*l.* In the branch banks of England, the private deposits

amounted, in the last quarter of 1838, to 592,000*l.*; and in the last quarter of 1839, to 451,000*l.* In the Bank of Ireland, the private deposits amounted, in the last quarter of 1838, to 2,234,000*l.*, and in 1839, to 1,834,000*l.* The agency deposits, in the last quarter of 1838, amounted to 480,000*l.*; and in the last quarter of 1839, to 391,000*l.*—making a total in those different items in the last quarter of 1838, of 7,144,000*l.*; and in the last quarter of 1839, of 5,413,000*l.* Here they had a reduction on the last quarter of 1839, as compared with the corresponding quarter of 1838, of 25 per cent on deposits, valuable as giving public accommodation to the commerce of the country. Now I ask, what was the character and nature of the bankers' trade, and how they were to distinguish between its operation in a crisis like the past, and in more favourable seasons? In a period of prosperity, the merchant finds that he can easily get his bills discounted, and money advanced on security at a moderate rate of interest; whereas in a period of pressure, he either cannot get them discounted at all, or he only obtains this accommodation at a very high rate of interest. The funds from which banks can discount bills, are divided into three classes. They have their own capital; next, if they are banks of issue, they have their circulation; and, last of all, they have their deposits. The two first classes are necessarily nearly of a uniform amount, or at least vary very little in one period as compared to another. The only great variation is in the third class, and from the deposits alone can customers be accommodated. Now, if it be found, according to the view I have given the House, a difference of power to the extent of a million and a half takes place in the ability of the Banks to accommodate customers—if they found that the sum of 7,000,000*l.* had in another year been reduced to 5,400,000*l.*—what must have taken place in the deposits of all the banks throughout the kingdom? What must have taken place in the banks of Scotland, in which, under ordinary circumstances, the deposits are considered to exceed 30,000,000*l.*? Why, in the same proportion, there would be a reduction of not less than 7,000,000*l.* in the Scottish banks at that period. Then, if they extended the calculation from the Scottish banks to the 1,600 banks in the United Kingdom—if they considered that the same reduction had taken place in the amount of the deposits of all these banks—then they might perhaps conceive the cause of the extensive pressure which had been felt in consequence of the reduction in the power of the banks to accommodate their customers. But if an effect like this were produced only by the bad harvest of 1839—for the panic in that year was attributed to this solitary cause — every one who referred to the pressure of 1839 ascribed it to the bad harvest — if this, then, I repeat, were the effect in 1839, what might they not conceive the reduction to have been in this year, when, in addition to a more severe drain on the floating capital of the country, than any they had before experienced, they had, in addition, a railway expenditure greater than had been known before; when they found that to the one cause of 1839, was superadded another and a greater cause, what difficulties might they not expect to find from the reduction of the banking accommodation of the country? Should this Committee be appointed, I hope it will furnish the House with the comparative statement of deposits in all the banks before the period of this pressure, and the decrease which took place in them from that time. You may estimate the number of banks throughout the country at 1,600, and suppose, which is the least you can assume, that these had deposits to the amount of 200,000,000*l.* taking the average deposits in the Scottish banks at 70,000*l.*, and taking the 400 banks with their branches at 30,000,000*l.*, which will yield, as the House will perceive, the average I have assumed of 70,000*l.* for each bank. I am willing to admit that the amount of deposits is larger in Scotland than in any other part of the kingdom, because they are not only banks of issue, but a medium of investments, and are permitted by law to receive trust monies, which is not allowed in England, these sums being authorised to be placed only in the public funds of the country. But I beg to call the attention of the House to the fact that the number of the banks in Scotland is larger in proportion than in any other part of the kingdom. Four hundred banks! If we take a fair proportion, considering Scotland with reference to the 1,600 banks, the aggregate number in the country, then the proper number of banks for Scotland will be only 166; but allowing that Scotland had a greater number of banks than England, I do not believe that the average amount of deposits in each bank is greater. I

believe rather that taking the average amounts, the deposits in the English are greater than in the Scotch banks. Therefore, I believe that the error into which the framers of the Act of 1844 fell was in confining their attention to the subject of circulation, and not directing their consideration to the subject of capital also; that capital being represented by the amount of deposits in the hands of the Bank. I may be asked, what purpose I intend to carry out by asking the banks to keep an eye on the state of the foreign exchanges? The purpose is obvious, that the banks may know, by keeping their eyes on the state of the foreign exchanges, what is likely to be the drain on their deposits, and what is likely to be the demand on their capital. If the Bank Directors look to these points; if they look to the rate of foreign exchanges; if they regard their money like any other commodity, and raise the rate of interest at an early period without looking at all to their circulation, but merely to the loans and discounts which they are required to make, I believe that they may, by thus raising the rate of interest at an early period of the drain, induce the most beneficial results, and altogether prevent the recurrence of that pressure which the country has already felt so disastrous. I believe that if the Bank of England, instead, as in the month of August last, of leaving the rate of interest at 3 per cent, raising it in the month of January to 4 per cent, and only in the month of April still further increasing it, when week after week their capital had been diminishing until it was reduced by the amount of 6,000,000*l.*—if, I repeat, the Directors of the Bank had raised their rate of interest at an earlier period, I believe that the commercial interests of the country might have got through the crisis with much less inconvenience—a rate of interest perhaps high, but not nearly so high as it was afterwards necessary to fix, in order to restore the exchanges. I believe by that means they might have prevented an immense amount of injury to the country, if they did not actually provide what might be felt to be material relief. I am not sufficiently sanguine to believe that anything the Committee can do will entirely prevent the recurrence of such a crisis; for as long as we have variations of seasons, as long as hope and fear prevail in the human heart, and as long as we have speculative excitements and prosperity at one time, so long shall we have periods of depression and of distress at other times. I am not sanguine enough to suppose that anything this House can do will entirely prevent a recurrence of these periods; but I am sanguine that we can give the public the fullest information that can be given. Thus, much more than by Acts of Parliament, they will be taught to regulate their commercial transactions; they may have placed within their reach the information which will teach them to mitigate the evils of these periods of pressure; but I do not think that the House can hold out a hope that by anything it can do it can materially alleviate the sufferings of the present time, or change for the better the existing state of things. These evils may be alleviated gradually; indeed the operation is now going on for their gradual and entire removal. I do not say that that removal would be rapid or immediate; I cannot forget the extraordinary expenditure which has been going on within the last three years; and if the measure which we are obliged this Session to entertain, if the Bill which the right hon. Baronet introduced the other night, is to be considered one of the means of checking the present large consumption of capital, that Act, however necessary it may appear, will, in the first place, have a bad effect on the commerce of the country. It will have the effect of throwing many persons out of employment who have been engaged during the last few months, and in receipt of large wages arising from a large expenditure, during the construction of large works; but immediately that these works cease, and the expenditure is withdrawn, then the reaction will be felt in all the branches of commerce, and we may look forward to a period of considerable depression. I trust that the information that Committee will bring forward will aid in restoring confidence, and that the country, by acts of prudence and by individual efforts, will gradually restore itself to that state of prosperity which I am confident we shall yet see to an extent unequalled at any former period. I have the honour to propose an Amendment to the Motion of the right hon. Baronet, namely—

"That all the words after the word 'inquire' be omitted, for the purpose of inserting the following words, 'how far the recent commercial distress has been affected by the Laws for regulating the Issue of Bank Notes payable on demand.'"

MR. T. BARING rose to assure the House that he deeply felt his own incompetency to take part in the debate on this

important subject; but feeling strongly as he did upon the question now under consideration, he was unwilling that this debate should close, even for the present evening, without offering a few observations in reply to what had fallen from the right hon. the Chancellor of the Exchequer, with regard to that portion of the distress which had occurred during the present year, and which he attributed to the reckless over-trading of commercial men. He, for one, did not deny that there had been over-trading, and that many errors had been committed; but he would say that it was not to that cause alone that they ought to attribute that great pressure which had weighed so heavily upon every portion of the commercial world, whether sound or insolvent, and that it was not fair to rest the cause of the pressure entirely upon over-trading, or upon the want of capital. He could not deny that great errors had been committed; for he believed they could not examine into the affairs of even the most opulent houses without finding proof of that. He did not believe that they could examine the affairs of the most powerful and wealthy establishments—they could not examine the proceedings of the Bank of England itself—without being able to discover that errors had been committed. The right hon. Gentleman himself said that the Bank had over-traded with the Government deposits. He would go further, and point to the Exchequer, and to the right hon. Gentleman himself, and he would show that in the spring of the year the right hon. Gentleman had over-traded on his credit by leaving an amount of Exchequer-bills in the market for which there was no demand, and which were consequently kept at a disgraceful state of discount. He thought the right hon. Gentleman had himself committed several blunders, which, if he had been a small trader, would have put him in the *Gazette*. The right hon. Gentleman blamed the Directors of the Bank of England that they did not before the month of August look to the state of the exchanges, to the state of trade, and to the amount of bullion in their possession. But what did the right hon. Gentleman himself do? Why, he made no provision for the Exchequer-bills which fell due in March, and though various intimations had been given him that they were already vastly too many for the demands of the market, the right hon. Baronet refused—though he was then aware of the high rate of interest which was demanded—he refused to allow the anticipated payments to be made at 3 per cent discount, though he was soon after obliged to beg that these same payments should be made at 5 per cent discount. He said, therefore, that want of foresight was shown, not alone by the merchants of England—not alone by the Bank of England, but that it pervaded the Exchequer, and that it was true of the right hon. Gentleman himself. The right hon. Gentleman said that he attributed this great pressure, in the first place, to the fact of there having been a great over-trading in corn. He agreed with the right hon. Gentleman that there had been over-trading—that there had been over-speculation in corn, because he never felt otherwise than satisfied that the wants of the country in this respect had been greatly exaggerated, and that the power of this country to supply its wants, even though we had to compete against the whole of Europe, had been vastly underrated. But he would ask who were the individuals who encouraged these exaggerated alarms? He could not say that the right hon. Gentleman or that the Government were free from blame, because he must say that the measures which were taken by the Government were sufficient to persuade the commercial men of the country that there were no available means by which they could bring a sufficient supply of food into the country. In 1847, the noble Lord said that the failure of the potato crop amounted to a loss of 16,000,000*l.* sterling. What were the measures taken to supply this deficiency? The navigation laws were suspended—their suspension was prolonged in June—and what individual, therefore, could imagine but that those who had access to the best sources of information were the parties who best knew what were the wants of the country, and therefore they risked their all, and bought what corn they could, even at the most enormous prices, that they might be able to meet the demand which, as they supposed, the Government had so wisely foreseen. The right hon. Gentleman next said that the failures had mostly taken place in those commercial houses which were engaged in the colonial trade. Now, he thought that these houses had not shown much foresight in relying upon the speedy improvement of the colonies. His own impression had been, for many years, from the course of policy which this House had followed, that colonial prosperity was doomed. But, at the same

time, he could not forget that those houses had been urged on by their friends—that Government had urged them on—that everybody had urged these houses to persevere—the colonies, it was said, were in a state of transition—in a state of trial—and therefore they ought to persevere, to get labour, to lay out capital, and they might rely upon it that British colonies, while they were British colonies, would continue to be prosperous. He, therefore, thought it was a heavy accusation of the right hon. the Chancellor of the Exchequer, when he said that all this great pressure had been produced by over-trading, because it must be borne in mind that those who really suffered were not those who over-traded—not those who had not sufficient capital—the real fact was, that the sufferings had been shared among the solvent portion of the community as well as among those who had traded without capital. What the commercial body asked was, not that they should be saved from the consequences of their own errors, whether by over-trading or any other cause—what they asked was, that the property which they undoubtedly possessed might have facilities afforded by which it could be made available to meet those engagements which the misfortunes of the country had brought upon them. What was the real nature of their complaint? By the present Bill, as it stood, it was impossible that the Bank, however it might foresee the course of trade, could advance loans upon the most undoubted securities, or continue its rate of discount. That was the great difficulty. But that was a difficulty which insolvent houses did not feel—because if they had no securities to offer, the refusal of loans on securities could not touch them. It was those who had securities—the more prudent or thrifty men, who had invested their capital in securities, which might yield them a less profit indeed, but which, at least, they imagined could be rendered immediately available—the men who kept a reserve fund of Exchequer-bills and internal securities, because, at any rate, they thought these would be at all times available and safe—it was these who suffered most in such a crisis as commerce had recently passed through. The right hon. Gentleman said that the Exchequer-bills were at a discount of 16 per cent. Surely this was not a satisfactory state of things—surely the commercial body had a right to complain of this, without regard to the question of over-trading or of want of capital. He was not surprised to hear the right hon. Gentleman pass a eulogium upon the Bill of 1844, because he knew that the right hon. Gentleman was one of the ablest supporters of the Bill—because he had pledged his reputation as to the safe working of the Bill—because he had predicted the important benefits which would arise from the passing of the Bill; and he was sure that the right hon. Gentleman, feeling the principle of the Bill to be right, would be ready to carry it out, and would feel sanguine as to its ultimate results. But he certainly was surprised to hear that with all this faith and confidence in the working of the Bill, the right hon. Gentleman should be the individual to come forward and move for a Committee of Inquiry into the effects of this Bill. But his surprise disappeared at the conclusion of the right hon. Gentleman's speech, when he found that, after all, the real object of the inquiry was to effect a reform in the constitution of the Bank Parlour. He must say that all he could gather from the speech of the right hon. Gentleman was this, that he wanted a Committee composed of men of every variety of opinion, because it was most likely that from such a body he would get no opinion at all. But the only evil on which the right hon. Gentleman put his finger, as wishing to correct it, was the present composition of the government of the Bank. He must say that that was a very minor grievance. It might be open to criticism; but this at least was evident, that while several of those who had a share in the government of the Bank had been unfortunate in trade, no improper aid had been afforded to them—and it was plain, therefore, that they had not abused their powers to wrong purposes. He must say that he had himself voted for the Bill of 1844. He had voted for it because he had confidence in its authors and proposers—he had voted for it as an experiment, and because one of the great arguments used by the promoters of the Bill was, that by separating the banking from the issue departments, the machinery of the establishment might be conducted, and that without any pernicious effect upon the commercial concerns of the country. He did not mean to say that it was argued the Bill of 1844 would prevent all future misfortunes in the country. But it was held out that by the separation of these departments, and by following the rules which were laid down, that the arrival of these crises would be foreseen—that being foreseen, they

would in a great degree be prevented—that their severity would be much mitigated; and when some one talked of the propriety of lodging somewhere a power of relaxation, he well recollected that the right hon. Gentleman said that it was much wiser to prevent a paroxysm than to propose to have the power of relieving it when it occurred. Experience had shown to his mind that this measure had failed—that this Bill of 1844 had not prevented the arrival of the crises—that it had not mitigated its severity when it arrived—and that in order to stop the crisis, the infringement of the law of 1844 was absolutely necessary. The right hon. Gentleman himself, in speaking of this Bill of 1844, had pronounced the strongest criticism upon it, because while at one moment he blamed the Bank Directors, at the next he said that the crisis was on the increase up to the 23rd of October—that he resisted it till he could resist it no longer—that at last he broke through the regulations of the law, and instantly the whole panic ceased, and the bank notes, instead of going out, came in. The common opinion certainly was, that if there was an issue of bank notes, gold would go away. But in this case, the result was that the gold had come in; and, remember, it did not come from foreign countries, for in the second letter of the right hon. Gentleman it was expressly said that the influx of gold was from the internal deposits. Therefore, the effect of the infraction of the law had been altogether magical in restoring confidence, and far from rendering necessary an issue of more notes. The gold came back and the notes at the same time. If, therefore, there was any benefit in the relaxation of the law, there could not be a better proof of it than the trial that had now been made. But then, said the right hon. Gentleman, let us have a Committee that shall embrace every imaginable subject of inquiry—over-trading, want of capital, free trade, and another subject which a noble relative of his own proposed to add in another place—the question of the wisdom of repealing the usury laws; a Commitee was to be proposed embracing men of some dozen different opinions. And now he would ask the right hon. Gentleman what he supposed would be the result? Did he not know that the probability was that evidence only would be reported to the House, leaving it to the right hon. Gentleman during the recess to consider what Motion he should found upon the evidence, while the country was left for the next year and a half to the strict action of the law, which had been tried, which had been proved, and which in one particular had been evidently found wanting. Why, the country had already sat as a Committee upon it. The pressure and the suffering endured by the country were the witnesses, and the letter of the 25th of October was all the report that was necessary; and yet now they were to go into a Committee, which would last for the next eighteen months, and God knew what would come of it. That was the measure. Who were the parties who proposed it to the country? If he mistook not, the right hon. Gentleman concurred with the right hon. Baronet the Member for Tamworth in his resolution, that all inquiry was exhausted—that their business was to act, and not to inquire. There was no Committee in 1844, though there was then no call for change; but now, when there was everywhere heard a call for decision and for action, the right hon. Gentleman came forward and proposed a Committee of Inquiry. [The CHANCELLOR of the EXCHEQUER made an observation.] The right hon. Gentleman might be better informed as to the wishes of the commercial body than he was; but he believed that what they wished to know was if the power which had lately been exerted on their behalf would never be exerted again till ruin was complete — never till deputation after deputation were sent to the Government—never till failure after failure had occurred—some of which he (Mr. Baring) believed, notwithstanding the opinion of the right hon. Gentleman, never would have occurred but for the Act of 1844. If there were to be no relaxation and no hope until some dozen bankers were to go up to the Chancellor and tell the right hon. Gentleman that if something were not done there was not enough of reserve notes in the Bank of England to meet the deposits, then the same calamities that had now happened would be repeated. When the Bank of England could do nothing—when it was in a condition to do worse than nothing — then the right hon. Gentleman said was the time, but not a moment before, to give relief. The commercial body wish to know if that system is to be continued. He had no doubt that with or without the Bill of 1844 there was ample power in the Bank of England to save itself and its gold, while it spread ruin and desolation around. But he did

not call that working a measure—he did not consider that a practical, or even a practicable measure; and what he required was, a measure which, while it did not foster speculation, nor encourage overtrading, would yet have the power of rendering available the means that were in the hands of men possessed of solvency and of capital. The right hon. Gentleman seemed to think very lightly of his letter of the 25th of October. He certainly did not give money to those who before had none, nor did he do anything to promote overtrading; but what he did give was this—he gave to persons possessed of property—if their property was vested in securities—he gave them the means of rendering that property convertible into money; at a high rate of interest it was true, but still he pointed out a place where they could get it. Was not the evidence of the success of this very trifling measure the severest criticism that could be imagined upon the stringency of the Bill? What did the letter do? The letter alluded to the events of April; and the right hon. Gentleman boasted that though there was a pressure in April, yet there were then no failures. Undoubtedly that was so; but let him ask if that pressure in April was not productive of vast sacrifices of property, which led to the failures in autumn, and made them more numerous and severe? But how was the crisis in April stopped? If he was not much mistaken, the Bank, on that occasion, reverted to its old plan of advancing money on Exchequer-bills, and in that way the panic was stopped. There could not have been a stronger warning to the right hon. Gentleman than what had occurred in April that we were not in a safe position, and that what had happened then might happen again with increased severity and disturbance through every portion of the commercial body. The right hon. Gentleman, in his letter, had given the Bank permission to discount, but at a very high rate of interest. He agreed in the necessity of the measure which the Government had been forced to adopt. They felt that the pressure had become more than usually strong, and that some measure of the kind was quite necessary. But he did not agree in the time at which it was done; and he was satisfied that, if the letter had been written three weeks before, they should have had, instead of dismay, and discredit, and distrust—which, whatever might be thought of them here, produced an injurious effect abroad—they should have had ease and confidence, without any increase in speculation. But the right hon. Gentleman said that everybody he saw told him they did not know what he could do, but that he must do something; that all they said was, give us money and we shall be satisfied, even though it is at a high rate of interest. Undoubtedly there was an advantage in pointing to a place where they could get money; but instead of fixing the rate of interest at 8 per cent, he believed the right hon. Gentleman would have done better in fixing only the rate of loans, while he left the rate of discounts to the discretion of the Bank of England. The experience of the Bank of England would satisfy any man that they were not likely to fix it too low. But the fact of fixing the rate of interest at 8 per cent minimum, while he fixed no maximum, did alarm a great portion of the industrial community. If it was expected that the sole remedy for all our evils was in retaining a high rate of interest, they must then expect to see a great diminution of their trade, and particularly of that export trade on which they relied not only to pay for the gold they brought from abroad, but for that increase of the foreign debt which had arisen from the greater facility they had given—he referred to this without giving at present an opinion upon the policy of the measures—by the removal of duties upon the importation of foreign commodities. No doubt by that change in their policy they had become to a greater extent than before debtors to foreign countries; and it would be for the manufacturer to say whether he could undertake to pay for these foreign commodities, while the rate of interest was at 8 per cent. They must recollect that in settling this foreign debt, they had entered into great competition; all the benefits which were usually considered to arise from the peculiar institutions of this country had been much diminished since the peace; and they had even given away the advantages which were understood to arise from the command of machinery. What were the advantages that were still left to them? Why, it was only the cheapness of money, and the low rate of interest. If, then, by this measure they were to prevent the manufacturers from obtaining money at a cheaper rate of interest than they could obtain it in foreign countries, they would sacrifice the only advantages that still remained to the manufactures of this country. He must say, that he, for

one, would not go willingly into this Committee, without, if possible, obtaining some assurance from the Government of what they intended to do in case a similar crisis occurred—as to what length they would allow it to go before they would apply a remedy. He, for one, desired that, along with this resolution to go into Committee, there should be appended a resolution that that portion of the Bill of 1844 which restricted the issue of notes upon the securities to 14,000,000*l.*, and in proportion to the bullion in the vaults of the Bank, should be suspended, and the issue of notes left to the discretion of the Bank and of the Government united, until the inquiries before the Committee should have closed. Everything showed that their present state was unsatisfactory; and while no legitimate hope could be entertained that this Committee would close its labours soon, the commercial world would be left in a state of uncertainty until the report was made, unless some such measure as that which he had suggested was adopted, or some declaration was made by the Government as to the course they intended to pursue in any similar crisis to the present. There was one other observation he was anxious to make. The hon. Gentleman who spoke last, had alluded to the question of a double standard. Into that question he was not at present prepared to enter; but he could not allow the hon. Gentleman to say that a double standard was found to be inadmissible in every commercial country. A double standard was permitted in the United States—that was a great commercial country; it was used in Holland—that was another great commercial country; the fact was, that a double standard in these countries was the basis of their circulation; and it was found to make very little difference, though, of course, the debtor paid always in the cheapest metal, and in that which most suited him; but that was of less importance than the differences which they had seen this year in the value of money and capital, which was enough to ruin the whole commercial world. He did not pretend to speak with authority; but he must say, looking at the practical working of the Bill of 1844, that it would not be satisfactory to its promoters, or to its authors, or to the country at large—he did not believe that it was satisfactory to this House; and he trusted, therefore, that the House would not think it could shelve the consideration of the matter by the country, by consenting to the appointment of such a Committee as the right hon. Gentleman proposed.

Mr. G. ROBINSON thought the Motion and the speech of the right hon. Chancellor of the Exchequer was a tacit admission that the existing law required revision; and he considered it also as an admission that the measure of free trade, to which he attributed a great portion of the present distress, was a complete failure. He agreed with his hon. Friend who had just sat down, that to go into a Committee of Inquiry without any restriction as to the questions to be inquired into, was one that would lead to no practical good. He, for one, would much rather see one Committee appointed to inquire into the currency and the Bill of 1844, and another Committee appointed to consider the effect of the free-trade measures of the Government. He had listened attentively to the speech of the right hon. Chancellor of the Exchequer, when he promised, in the early part of his speech, to point out the causes of the existing distress, and he was disappointed to find at the close that the right hon. Gentleman attributed the distress almost entirely to over-trading. Now, he had been a merchant in the city of London for upwards of forty years, and he had been an anxious and attentive observer of the late melancholy events: and while he could not deny that much of the distress and the failures had arisen from the imprudence of parties embarking in speculations for which they had not sufficient capital, he felt that the Government had all along stimulated, as it were, the merchants to enter into those speculations which had led to such unsatisfactory results. The reproaches against over-trading, therefore, did not come with a good grace from the Government. So long back as 1832, when he had the honour of a seat in the House, he foresaw the impossibility of their going on with their then currency, though the Bill of 1844 had not then passed; and he also, at the same time, foresaw the effect of those measures of free trade which were then for the first time introduced by the late Mr. Huskisson and Lord Wallace. At that time he moved for a Committee to inquire into the state of the trade of the country, and to suggest a remedy for the evils under which it suffered. He now found that the Government which refused his Motion at that time—he now found them coming forward and suggesting inquiry. He would state to the House what had occurred when the present Earl of Ripon was Chancellor

of the Exchequer, when he came down to the House boasting of the surplus of revenue over expenditure, and inquiring what he was to do with the funds. He wished the present Chancellor was in that position now. He would read to the House the observation which Mr. Huskisson made at the time, and what struck him as not a little extraordinary, especially when they looked at the existing state of things. Mr. Huskisson stated—this was in 1825, and in allusion to the free-trade measures which, in a very limited sense, had been introduced at that time—Mr. Huskisson said, that—

"When foreign countries saw him (the Chancellor) coming forward, year after year, largely remitting the public burdens; and, at the same time, exhibiting a prosperous Exchequer, he had no doubt that when the Governments of the Continent had contemplated for a few years the effects of the system on which they were proceeding, thair eyes would then be opened, he believed—for at present he admitted it was not so—to the fact that this country was acting upon sincere and consistent principles, and that it would be for their interest to imitate us in the same liberal career."

Mr. Huskisson had predicted this so long ago as 1825. He would ask the noble Lord whether these results which had been so confidently predicted, together with the results of other departures from the principles of protection, whether they had not issued in bitter and lamentable disappointment, for the country was in a worse condition now than it was then? He would not maintain for a moment that they were to keep up precisely the same commercial system which they enjoyed previously to the war, because he knew that not only at the end of the war was the condition of this country materially changed, but that foreign countries had also put forth their energies, and become formidable rivals to us in our manufactures. But there was a great difference between the cautious and prudent policy of Mr. Huskisson, and the throwing open of the foreign and colonial trade without limitations, according to the fashion of the present day. The manufacturers of this country had been the great promoters of the recent changes, and he believed that they would be the greatest sufferers by them. When the noble Lord the Member for Lynn had spoken of the large importations of corn as one of the causes of the present commercial crisis, he did not understand him as expressing any regret at that importation, because the failure of the potato crop, and the circumstances of the country, rendered it necessary; but the noble Lord had very justly remarked, how much they had become indebted to foreign countries by the importation of other articles for which the same necessity had not existed. He did not deny that some inquiry might be necessary; but he should have preferred a proposal to divide the Committee into two, so that the currency might have been kept separate and distinct from the other parts of the question. After the many predictions of national prosperity which had been heard, he believed that they were now at the commencement of great financial difficulties which had been created during the last war. At that time England occupied a position which justly rendered her the envy of all other nations; but, by a series of errors in legislation since that time, all those advantages had been thrown away, and her position was certainly no longer to be envied. During that time they had been living in a kind of fool's paradise—for all the free-trade measures had been based upon the hope that, if they were steadily followed up, foreign countries would be driven to imitate our example. It was true that the right hon. Baronet (Sir R. Peel), who had changed his opinions in a manner so extraordinary, and he believed so disastrously to the country, had gone so far as to say that he was prepared to follow out those measures, whether foreign countries adopted that principle or not; but he was convinced, that if they did not stop in that mistaken career of so-called liberal policy—if they did not adopt the principle of a moderate and reasonable protection for the great interests of the country, which could not be sustained without protection, and upon which the employment of the people depended—not only would they have the Chancellor of the Exchequer coming down to ask for Committees of Inquiry, but they would find it become very questionable whether the revenue of the country could be sustained. Already they had thrown away large portions of the revenue, which were derived from articles of import, without being felt by the community at large; and this in the hope of acquiring advantages from foreigners, which they had determined not to give. What had been the consequence? Although at the end of the war they had been able to reduce considerably the national debt, and 18,000,000 of taxes, including the income-tax and the malt-tax, had been repealed, yet, at the end of thirty-two years of peace, they

were now in the position of having, he believed, a deficient revenue, and were threatened with a permanent and increased income-tax. He recollected well, that when he had proposed to substitute an income-tax for some taxes which pressed heavily on certain branches of commerce, and on the people's subsistence, the right hon. Baronet (Sir R. Peel) had told him and the House that the income-tax ought to be reserved for the exigency of war; and yet he had lived to see the right hon. Baronet himself introduce an income-tax in the time of peace. He did not blame the right hon. Baronet for that measure, because he was no doubt driven to it by the failure of indirect taxation; and he was on principle favourable to an income or property-tax, or both; but if, during the present Session, the Government should propose any addition to the income and property-tax, he should feel it his duty to oppose it, unless accompanied by a return to sound protectionist principles. By the present system, the capital of the country was being wasted; and when the Government asserted that none of the difficulties of the commercial world could fairly be attributed to free trade, he would ask, whether the alteration of the sugar duties had had no share in bringing down some of the great houses in that trade? Sure he was, that it was nothing but those free-trade measures which had brought to ruin those great commercial establishments. He was no advocate for monopoly; but he considered that protection to the agricultural, to the West Indian, and to the manufacturing interests was essentially necessary, in the present burdened state of this country, in order to afford employment for the people. Notwithstanding all their discussions upon the complicated subject of currency, that was the great question, how to find employment for the people—such remunerating employment as would add to their comforts, and enable them to become contributors to the large expenditure of the State, instead of being a burden to the country, and involved in misery and destitution. The hon. Member for Stockport's prediction as to the necessary consequence of repealing the corn laws had remarkably failed; for, looking to the accounts from Manchester, Bradford, Stockport, Leeds, and other great manufacturing towns in England, and from Paisley, in Scotland, there never was in the history of this country so much distress in the manufacturing interest. It was melancholy to see how much people had been deceived; and yet the same principles and the same measures were urged upon their adoption. That, however, was not the opportunity for entering fully into that question; but he had adverted to it, because if the proposed Committee was to be essentially a Currency Committee, as from the turn which the debate had taken he was led to fear, and the past and future alterations of policy to which he had alluded were to be overlooked, he was satisfied that it could lead to no satisfactory result. With regard to the commercial difficulties of the present moment, he was not one of those who blamed the Government for their interference with the Bank; but he could not help thinking that inquiry on the subject was almost useless, because the Act of 1844 was condemned by every one. He trusted that if there was to be a Committee, its constitution would be satisfactory; but he had not yet heard any one Member of that House get up and defend the Act of 1844. The Bank of England had been placed in a very difficult position, and he was far from saying that they had not taken the prudent and proper course under the circumstances; but the fact was, that they had a currency totally inadequate to the great demands of their commerce, and until something was done to enlarge it and adapt it better to the necessities of the country, they must continue subject to periodical crises in the monetary and commercial world. He considered that a great error had been committed in 1819, when Parliament adopted an exclusively gold standard. He should have wished to see a standard, consisting of gold and silver; but if an exclusively gold standard had, as he contended, been productive of injury, how much more must that injury have been increased by the entire suppression of small notes in this part of the kingdom. He never could understand why small notes should be allowed to circulate in Ireland and Scotland, and yet be prohibited in England. The danger of an excessive circulation he could understand; but that was no reason for their entire suppression, though it might be a reason for their regulation. Still less could he understand why, having thus restricted the circulation, they should have had recourse to the Bank Charter Act of 1844. These were the measures which, in his opinion, had brought about that state of things which they were now seek-

ing to remedy. In his opinion they ought to restore the standard of value to the rate at which it stood before the Bank Act of 1797, which made the gold standard 3*l.* 17*s.* 10½*d.* per oz., and the silver 5*s.* 2*d.* per oz.; and if they also repealed that part of the Bank Charter Act of 1844, which divided the Bank into two departments, he believed that they would do all that they could for the regulation of the currency. But as to the commerce of the country, England possessed resources with which no other country could bear the least comparison. Let them look to their immense trade at home; to the extent of their colonial possessions; to their uncontrolled dominion in India, both in time of peace and war. He asked the House to support, to cherish, and protect—however unfashionable the word might be—protect those great interests, as was their undoubted duty, and then they would have nothing to fear from the policy of foreign nations. After a trial of thirty years, it was absurd any longer to suppose that foreign nations would make any concessions to this country or receive its manufactures, however much disposed we might be to make concessions to them. Over and over again during thirty years had they been told that, if they would only take another step in the same direction, foreign nations must follow their example, He remembered that that was said of France by Lord Althorp, when he proposed to alter the duties on wine, so as to assimilate the duties on French, Portuguese and Spanish wines. But the contrary had been the effect; for very recently they had seen, that notwithstanding the influence of some parties in France in favour of free trade, the Chamber of Commerce at Paris had passed a resolution, declaring their determination not to take any steps which could encourage the introduction of foreign manufactures. Again, in Germany, what was the Zollverein? Was not that for the purpose of maintaining their own trade and encouraging their own manufactures, to the exclusion of those of other countries? Let the House also consider the effect of the speech of the King of the Belgians. That speech expressed a great anxiety for foreign trade. And what did that mean, but the encouragement of the manufactures of Belgium? Even within the last day or two he understood that the English Ambassador at Madrid had been obliged to remonstrate with that Government on the subject of some decree hostile to our commerce. These were the indications which foreign countries gave of their intention to follow our example; and he thought that the last thirty years of trial were sufficient to show that we must adopt a national policy of our own, wholly irrespective of that of foreign countries, unless we were determined to sink into a position of far greater difficulty than any we had yet encountered. Something had been said the other night of the intention of the United States; but he called upon any hon. Gentleman to point to a single alteration in the tariff of the United States which could encourage a belief that she was about to abandon the principle of protection. The reverse was the case. Every change that America had made, every change that France had made, had been directed to the end of encouraging their own manufactures, or promoting their own revenue, The hon Member for Stockport's amateur trip to the Continent had been referred to. See, it had been said, the extraordinary effect produced by that man! But what was the fact? In every one of the large commercial towns which he had visited he no doubt had found a number of willing auditors; he had been received and *féted;* but by whom? By a body of merchants who were interested in obtaining access to our markets, but who had no influence in inducing their Governments to adopt any new principle of policy; and also by a number of very amiable philanthropists, who were living in a world of their own creation. What was the answer which had been given by the French Minister when Lord Whitworth applied to the French Government to enter into a treaty of commerce? He said—

> "You are half a century in advance of us, and therefore it is not reasonable to ask us to enter into such a race of competition with you; but if you will wait till we are on equal terms, then we may consider the subject."

From that time to the present successive attempts had been constantly made to attain similar objects. The hon. Member for Bolton and others had been employed on the same service; but all such attempts had utterly failed, and he would challenge the noble Lord the Secretary for Foreign Affairs to produce a single paragraph from all his correspondence with foreign countries indicating any intention to relax their restrictions in favour of the manufactures or commerce of this country. He knew that no such paragraph could be found; and he implored the House to abandon the

absurd policy which was based upon so unfounded a hope. It was not hostility to this country, but self-defence, which induced this course of policy in other countries; for there was not one of these commercial States which did not see that our object was to supplant their manufactures and introduce our own. Although, therefore, it had been the policy of the last and the present Government to throw aside all protection, and to expose all classes of the community to a most unequal and ruinous competition, burdened as they were with a large national debt and a very expensive Government, other countries still considered it the first duty of every State to protect the interests of its own subjects. This country possessed great energy and great resources; but unless its energy and its resources received some assistance from the Government, he was afraid that no long time would elapse before they were entirely exhausted. He begged pardon of the House for trespassing so long upon its indulgence; and he would conclude at once by repeating his wish that the two branches of the subject should be considered by two separate Committees.

SIR W. MOLESWORTH: Three questions had been raised by the Motion of the right hon. Baronet the Chancellor of the Exchequer: first, as to the causes of the pecuniary embarrassment of the country and of the late panic; secondly, whether that embarrassment or that panic had been produced or aggravated by the provisions of the Bank Charter Act, or by the conduct of the Directors of the Bank of England; and, thirdly, whether Her Majesty's Ministers had deserved praise or blame for the advice they had tendered to the Directors of the Bank of England. With regard to the causes of the pecuniary embarrassment of the country, he disagreed with the hon. Gentleman the Member for Poole, who attributed it to a want of currency; he attributed it to a want of capital. There was a deficiency, not of the instruments by which exchanges were made, but of the exchangeable things themselves. There was a deficiency in the supply of capital as compared to the demand for it. The floating capital of the country, that portion of the capital of the country that was annually consumed and annually reproduced, out of which wages, profits, rents, and incomes were paid, was deficient; on the other hand, the demand for it was excessive. The deficiency of the supply was occasioned partly by causes over which they have had no control, partly by their own folly and imprudence. The disease in the potato had destroyed, or rather prevented, the reproduction of an amount of floating capital equivalent to the sum paid for the food imported to supply the place of the potato. That sum had been estimated at twenty millions and upwards. The greater portion of it had come out of the income of the country; and the payment of it had produced, for the time, a much greater pressure upon the resources of the nation than the destruction of a much larger amount of fixed capital would have done. Besides the failure of the potato crop, the expenditure of vast sums of money on railroads had diminished the floating capital of the country. It was true the floating capital had not been diminished to the whole amount of that expenditure: some portion of that amount—for instance, the sums required in the purchase of land—had been merely transferred from one individual to another, and may have continued to be floating capital; but a large portion of it had been paid in wages, and consumed in food, and the labour given in return had not reproduced floating capital, but created fixed capital in the shape of railroads. It was true, likewise, that the money so expended would ultimately increase the productive powers of the country, and facilitate accumulation; but meanwhile the returns were trifling as compared with the expenditure; and the pressure occasioned by the sudden conversion of so large an amount of floating capital into fixed capital was intense. In fact, the nation was very much in the position of a man who, over eager to improve his estate, had expended upon planting, draining, farm-buildings, roads, and the like, not merely the accumulations of past years of thrift and industry, but even the money with which he should have provided food and clothing for himself and his children, and then he had endeavoured to procure the necessaries of life, and the means of completing his improvements, by borrowing at a high rate of interest from his neighbours. The want of funds to complete the railroads, and the attempt to borrow them, had created the demand for capital. From that excessive demand for capital, combined with the diminished supply of it, arose the pecuniary embarrassment of the country. It was evident, on a moment's reflection, that they stood in need, not of currency, but of capital. What, he asked, for instance, did the directors of railroads

want? They wanted to complete their works and to pay their labourers. They wanted wood, iron, stone, and other materials for their works. They wanted bread, beef, beer, sugar, tea, tobacco, and other commodities for their labourers. The whole question resolved itself, therefore, into the means of obtaining these commodities. If they had existed in abundance in the country, there would have been no difficulty about exchanging them; but they did not exist in sufficient amount in the country, and they could not be obtained from other countries merely by augmenting the number of bits of paper in circulation. To obtain them from other countries they must be paid for in gold or other commodities; but there was neither the gold nor the other commodities to spare; in short, capital was deficient—thence the embarrassment of the nation. The only remedy was on the one hand to diminish the demand for capital, on the other hand to increase the supply of it. To diminish the demand for capital, expenditure must be curtailed; to increase the supply of capital, it must be tempted to come from other countries. To curtail expenditure, the calls upon railroad shares must be diminished as much as possible. To tempt capital from other countries, they must be content to pay a high rate of interest, and to sell their best securities cheap. Therefore, any attempt on the part of the Legislature, either to facilitate the construction of railways, or to raise the price of securities, or to lower the rate of interest, would only prolong or augment the embarrassment of the nation. He utterly disagreed, therefore, with those hon. Gentlemen who had attributed the embarrassment of the country to a want of currency; and who had likewise ascribed the supposed want of currency to the conduct of the Directors of the Bank of England, and on that account had cast great blame on those Directors. He thought it very difficult, if not quite impossible, for the Directors of the Bank of England to reduce the currency below that amount which was actually required for transacting the business of the country. It appeared to him, if the exchangeable things were in existence, and men wanted to exchange them, they would soon find the means of so doing. Suppose, for instance, he said, that the Directors of the Bank of England had the power, and were to exercise the power, of unduly contracting the amount of their notes in circulation; then, he believed, that bankers' checks and bills of exchange would soon supply the deficiency, especially of notes above the value of ten pounds; and notes above the value of ten pounds constituted one-half of the circulation of the Bank of England. In fact, it was well known that by far the greater portion of the business of the country was transacted by means of bankers' cheques and bills of exchange; and that Bank of England notes formed only a small portion of the real currency of the country. As long, however, as the Bank of England held any large amount of private deposits, any attempt on the part of the Directors unduly to contract the amount of their notes in circulation would only cause a drain on those deposits, until the public obtained the amount of notes required. Therefore, such an attempt would soon be defeated. On the other hand, he believed it to be equally difficult for the Directors of the Bank of England to unduly increase the currency of the country. For, if they were to attempt to do so, either by purchasing securities, or by increasing their loans to the public—if they were thus to endeavour to increase the amount of their notes in circulation, beyond that which was required for the business of the country, then the notes so issued in excess would not be idle; they would either be returned to the Bank to be exchanged for gold, or they would be employed in discounting bills; thus a portion of the business of the Bank would be intercepted; in both cases the circulation of notes would be reduced, and speedily brought within due limits; and the result would be, not an increase of circulation, but a loan or investment of the capital of the Bank. He believed that the power of the Bank to affect the monetary interests of the community, arose not from any power the Directors possessed of unduly increasing or decreasing the currency of the country, but from the vast capital they held as bankers. By lending that capital, they could at one time encourage enterprise and foster speculation; at another time, by suddenly refusing to lend, they could occasion great inconvenience and loss to those who were accustomed, properly or improperly, to rely upon them for assistance. In both cases they would affect public credit, not in their capacity of directors of a bank of issue, but as ordinary bankers. A charge had been brought against the Directors of the Bank of England, to the effect that they had consulted the interests

of their proprietary at the expense of the public. Suppose, he said, that charge were true, then the question arose—were the Directors of the Bank of England public functionaries, or not? Were they bound to consult the interests of the public, or those of their proprietary? It had been generally understood that the object of the Bank Charter Act was to relieve the Directors of the Bank of England from all obligation to consider themselves public functionaries. By that Act they had been deprived of their former power of issuing notes; and they had been told over and over again that they never had been public functionaries except with regard to their issues; but that with regard to their deposits they were just like other bankers. If this position were correct, on what grounds were the Directors of the Bank of England to be blamed for consultingly exclusively the interests of their proprietary? If the position were correct, that the failure of the potato crop, with the consequent loan to Ireland, that the vast expenditure on railroads, that the demand for capital to complete those railroads, that the large exportation of gold to pay for food for Ireland, and for the augmented consumption in England caused by the expenditure on railroads—if those causes had produced the pecuniary embarrassment of the country, it followed that that embarrassment could not be fairly attributed to the provisions of the Bank Charter Act. For that Act could no more have produced speculation in railways, than it could have produced the failure of the potato crop. The Act of 1844 merely determined the numerical relation that was to exist between the amount of notes that the Directors of the Bank of England might issue, and the quantity of bullion in the Bank. It was certain that that Act did not require the Directors of the Bank of England to keep a less amount of bullion in store than they would otherwise have done. Consequently it could not have increased the power of the Directors to encourage speculation. On the contrary, it had probably compelled the Directors to keep a larger amount of bullion in store than they would otherwise have done. Thus it must have diminished the capital that the Bank could lend to the public, and it must have thus diminished the power of the Bank to encourage speculation, especially at the time when over-speculation was most dangerous, namely, when gold was going out of the country. An hon. Gentleman had attributed the embarrassment of the country party to free trade and to a repeal of the corn laws; but what could a repeal of the corn laws have had to do with the antecedent events of the failure of the potato crop and railway speculation? On the contrary, it appeared to him that, if a system of free trade had been long ago established, food would have been regularly grown and imported from the food-growing countries, and regularly paid for in the manufactures of England; then the increased demand for food would have been followed by an increased demand for manufactures, less gold would have been exported, and less embarrassment would have ensued. He maintained, therefore, that the pecuniary embarrassment of the country could not be justly attributed either to any defect in the currency, or to the operations of the Bank Charter Act, or to free trade, or to the repeal of the corn laws; but it could be traced entirely to a deficiency of capital, partly caused by over-speculation. What, he asked, were the causes of the over-speculation? He believed that they could easily be assigned; that they were of periodic recurrence; that no Act of the Legislature could prevent them, and no prudence on the part of the Directors of the Bank of England, or other constituted authorities, could avert their evil effects. He said that it could not be doubted that, under ordinary circumstances, capital in England increased more rapidly than the means of profitably and safely employing it. After a time, therefore, there arose a fierce competition between the owners of capital for the means of investing their capital; every branch of industry became overstocked; the prices of all securities rose; the rate of interest fell; large classes of the community (especially the middling classes, and those who lived upon the profits of small capitals), found their incomes reduced; they became uneasy, impatient, inclined to listen to every new and plausible project that held out some prospect of higher profits; eagerly, rashly they embarked in such schemes; a few, the more cautious and more cunning, might realise fortunes, but to the majority the speculation failed; a large amount of capital was destroyed; and great misery ensued. After a time the storm passed by, prosperity returned, fresh capital was rapidly accumulated, the means of safely investing it again became deficient, the past was forgotten, it bequeathed no lesson to prosperity. The same cycle of events

was repeated, and in the words of the poet, another Argo carried another band of heroes in search after the golden fleece—

> "Alter erit tum Tiphys, et altera quæ vehat Argo
> Delectos heroas; erunt etiam altera bella;
> Atque iterum ad Trojam magnus mittetur Achilles."

The Mississippi scheme was revived, and another "Law" returned to the speculating world. He said, that two or three years ago, the commercial affairs of the country had been in the most flourishing condition. Trade had been thriving, the labouring classes had been fully employed, capital had been steadily flowing into the country, the treasure of the Bank of England had reached a greater amount than had ever been anticipated, Consols were at par, the rate of interest for short periods on the best securities did not exceed two and a half per cent; in fact, money was a drug. At that moment the success of one or two great lines of railroad directed public attention to railroads as profitable investments for capital; their power of facilitating production and economising capital; the lightning-like speed of their passenger trains; the certainty that they must ultimately cover the face of the country, that every town of any importance, and every district possessing either agricultural or mineral wealth must sooner or later have its railroad—all this had engendered such a fever for railroad speculation, that but few had escaped the contagion; one-half the community had been occupied in forming projects for railroads, calculating imaginary traffic tables, and surveying the length and the breadth of the land; the other half had busied themselves in buying and selling scrip. Men and women of every class and grade in society, from the peer to the peasant—one-half the House of Lords, three-quarters of the House of Commons, had engaged in these transactions. Men with small capitals had embarked in them, in the hope of increasing their scanty incomes—men without capital, expecting rapidly to acquire the fortunes they never could obtain by honest and patient industry; and men with broken fortunes, crippled with debt, traders on fictitious capital, swindlers in the garb of merchant princes, impostors and deceivers of the public, had clutched at these speculations, in the hope of putting off the day of reckoning, and postponing for a time the inevitable crash. It mattered not where the railway was to be. Railroads over desolate moors, through decayed towns, to harbours without commerce; railroads up impracticable gradients, and through impassable tunnels; railroads in Spain, railroads in India, railroads in Canada—all had found eager purchasers for scrip at a premium. Successful speculators had been crowned and worshipped. Thousands and thousands of pounds had been subscribed to their honour. They had been travestied into statesmen, and a network of iron had been prescribed as the remedy for the famine and misery of a starving people. In that wild and universal worship of the demon of speculation, a large portion of the community had undertaken to provide within a limited period of time a greater amount of capital than they themselves possessed, or than the country could have immediately spared for permanent investment. The efforts to meet engagements, the competition to obtain capital by means of loans or by the sale of securities, had first produced the pressure on the money market; then the rate of interest rose, the price of all securities fell, capital became scarcer and scarcer, it was withdrawn from the deposits, especially of country bankers, in order to pay up railway calls and to purchase railway debentures; the bankers were thus unable to furnish their usual supplies to the bill brokers; the bill brokers were in consequence unable to discount the paper of the merchant; and the merchant, who had been trading upon borrowed capital, or upon insufficient capital, or whose capital had been engaged in foreign plantations or in other objectionable securities, failed to meet his engagements. In that struggle, therefore, the most reckless and the most deeply involved had first failed, and among them had been some who had been unjustly held in the highest repute; for instance, joint-stock banks had failed with enormous paid-up capitals, their directors had disregarded every sound principle of banking, and had squandered the funds of their proprietary in abetting the wildest speculations. Again, long-established houses had failed, that never had been solvent within the experience of the existing partners. Those partners had ranked among the chiefs of the mercantile world; with hundreds of thousands of liabilities they would pay a few shillings in the pound. They had gone on year after year fraudulently contracting engagements with the public which they never could have hoped to discharge, recklessly accumulating debts, careless of the ruin and misery they must produce. Hardly

one of these failures had deserved a regret; but the sudden exposure of their rottenness had shaken public confidence, and had given birth to the panic. With regard to that panic, he would now ask, whether it had been aggravated by the conduct of the Directors of the Bank of England? Whether the Directors had been compelled to do so by the provisions of the Bank Charter Act? And, lastly, whether the Government had, therefore, been justified in authorising the Directors of the Bank to disregard the provisions of that Act? To answer those questions, he would state, very briefly, what appeared to him to be the plain facts of the case. From the return of the accounts of the Bank of England, published under the Bank Charter Act, it appeared that every year, in the months of April and October, there was a diminution in the deposits of the Bank of England to the extent of between four and five millions. That diminution always took place in the public deposits; it arose from the payment of the dividends, and had generally been counteracted in a slight degree by a small increase of the private deposits. To pay those four or five millions, the Directors of the Bank of England had usually reduced their reserve of notes to the extent of a million or a million and a half. They had likewise always diminished their other securities (that is, their accommodation to the public) to the extent of between two and four millions, and sometimes they had parted with a portion of their Government securities. They had acted precisely in that manner in October last. According to the return of the 9th of October, at that period they had in the banking department a reserve of notes and bullion which did not exceed 3,800,000*l.* As they would in all probability have to pay a sum of between four and five millions, their reserve would have been exhausted if they had departed from their usual course of reducing the amount of their private securities. They had, therefore, signified their intention of not renewing loans, and during the ensuing week there was a reduction in the other securities to the extent of two millions and a half, precisely the same amount by which those securities had been reduced in the corresponding week of October, 1846. But as that had occurred in the middle of the panic, occasioned by the failures to which he had referred, it had greatly aggravated the panic. For when private bankers found that they could not obtain advances at the Bank of England, even upon Government securities, they had been compelled to adopt every means of securing themselves, to refuse all accommodations to their customers, and to keep their notes in reserve to meet the probable run upon their deposits. Thus money had become scarcer and scarcer, and the panic had increased. Meanwhile the reserve of notes had gradually diminished. At the period of the return of the 23rd of October, the reserve of notes and bullion had been reduced below two millions, whilst the liabilities of the Bank on account of private deposits alone amounted to eight millions and a half. In the midst of a panic, that was a most alarming disproportion between those liabilities and assets. For if the panic had continued, and had gone on increasing, the country bankers would have become alarmed, the alarm might have spread to Scotland and Ireland, and all parties, even the most solvent, would have endeavoured to secure themselves by obtaining notes or gold. The demand would have fallen entirely upon the banking department, and a drain of less than a couple of millions would have exhausted the reserve. The possibility of such a drain upon the private deposits was by no means an extravagant supposition; for he found that in the course of one week, in August, 1836, there was a reduction in the private deposits to the extent of 1,700,000*l.* He believed that there was no doubt that at the period when the Government interfered, the reserve of notes did not exceed 1,100,000*l.* More than half of that sum was distributed among the branches of the Bank of England. The remainder, amounting to about 500,000*l.*, was the whole reserve of notes in the Bank in London; and it was said, that that sum could have been reduced to 100,000*l.* by the check of a single London banker. Therefore, if the Government had determined not to interfere, the Directors of the Bank of England would have been compelled to adopt still more stringent measures to guard their reserve. Not only must they have peremptorily refused all advances and discounts, but they must have endeavoured to sell securities at any sacrifice. If they had acted in that manner, it was difficult to imagine how low the funds might not have fallen, and how high the rate of interest might not have risen. In fact, money would have been unattainable on any terms —the panic would have increased tenfold —there would have been an end to all

credit—many bankers would have stopped payment—large masses of the population would have been thrown out of employment—riot, misery, and confusion would have ensued. And, after all, the efforts of the Directors might not have been successful in securing the Bank; if not successful, then the banking department of the Bank would have stopped payment with eight millions in the coffers of the issue department. To avert such a calamity, to put a stop to the panic by enabling every really strong house to feel confident that it could raise money in case of absolute necessity, the Government had interfered, and had authorised the Governors of the Bank of England to disregard the provisions of the Bank Charter. On the other hand, it had been said that those apprehensions were unfounded; that the Bank of England had never been in any real danger; that the Directors could have obtained any amount of notes they might have required, either by selling securities, or by refusing to renew loans; that if by so doing a few more bad houses had been broken, so much the better for the public interest. It had been asserted, that when the Government interfered, the storm had abated, the danger had gone by; and that subsequent events had proved that interference to have been unnecessary. It had likewise been said that that interference was a very bad precedent; that on all future occasions, either of agricultural or commercial distress, the Government would be called upon to interfere, and would have great difficulty in refusing, even when the most disastrous consequences might follow such interference. And, lastly, it had been said that that interference would unsettle the whole of the currency question so happily settled before, would let loose a torrent of nonsense, which might produce an inundation of inconvertible paper. He acknowledged that there was great force in many of those arguments; he deeply lamented the necessity of that interference—he thought that great vigour and determination would be required to prevent the evil consequences of such a precedent. In his opinion, the question had been, on which side was the balance of evil? Whether, at the period when the Government interfered, it was proved that greater harm would have been done by letting things take their course, than would be done by that interference? He asked what had been the opinions of those persons who ought to have been and were the most competent to pronounce an opinion in such matters? He answered, that among the most eminent men in the city the weight of authority had been decidedly in favour of the interference of the Government, and in their opinion the most disastrous consequences would have ensued if the Government had refused to interfere. Under these circumstances he thought that no blame could attach to the Government for the course which they had pursued. It had been said by some who approved of the interference of the Government, that the Bank had been recommended to charge too high a rate of interest. He thought, on the contrary, that that high rate of interest had alone prevented any immediate danger from the interference of the Government. The danger had been lest the Bank, by increasing its loans and discounts, should have revived speculation and encouraged imports, which might have caused a turn in the exchanges and an exportation of gold, which might have exhausted the treasures of the Bank. The high rate of interest had prevented the Bank from increasing to any extent its loans and discounts; yet, at the same time, in consequence of the recommendation of the Government, every person who possessed unquestionable securities felt certain that he could obtain money in case of need. This had allayed the panic. To restore confidence had been the sole object of the Government. They could not have wished to lower the rate of interest, for they could not create capital, and a high rate of interest was necessary to diminish the demand for capital, and to entice capital from foreign countries. He would not trespass upon the patience of the House by discussing at any length the question of merits or demerits of the Bank Charter Act. He would merely observe, that if, as some persons had maintained, the object of that Act had been to prevent over-speculation, and to render a crisis impossible, then it could not be denied that in that respect the Act had not been successful. But if, as some persons (in his opinion much more correctly) had asserted, the only object of that Act had been to secure the convertibility of the bank note, and to prevent all apprehensions on that head during the period of a crisis, then it must be acknowledged that in that respect the framers of the Act of 1844 had attained their object; for neither in April nor in October last, had any one entertained the slightest apprehension with regard to the

convertibility of the currency — though, in every crisis that had preceded the Act of 1844 such apprehensions had been prevalent, and not altogether ill-founded. Having rendered this service to the community, it was deeply to be regretted that there should have been a necessity for suspending its operation. Whence that necessity arose, was a question well deserving the consideration of a Committee of the House. Some persons had cast great blame on the Directors of the Bank of England for not having commenced at a much earlier period to raise the rate of interest on loans and discount. It had been said that the Directors of the Bank of England belonged individually to the class of borrowers; that some of them had been needy borrowers, as had been proved by their failures; that, as borrowers, it was for their advantage that the rate of interest should always be as low as possible; consequently, in a period of monetary pressure their private interest was opposed to the public interest, which required that the rate of interest should increase with the scarcity of capital. It had been maintained that if the Directors of the Bank of England had gone on gradually increasing the rate of interest from the commencement of the pressure in the money market; if they had been the dearest instead of the cheapest of money lenders, there never could have been any necessity for them to refuse loans on unquestionable securities—the panic would never have reached the height it did—and the interference of the Government would not have been necessary. He had no doubt that this was the correct view of the course which the Directors of the Bank of England ought to have pursued, if it had been their duty to consult the public interest exclusively. But he doubted whether such a course would have been the best for the pecuniary interests of the proprietary of the Bank of England. It should be remembered that the Directors of the Bank of England had a large and gradually increasing sum of money in their hands, which they could use only for a short period of time. In order to ensure customers they had lent it at a moderate rate of interest, and they had made the most money they could. It might be said that by so doing they had brought the banking department of the Bank into the danger of stopping payment; but the Bank of England was not like an ordinary bank. No Government would let the Bank of England stop payment when they could prevent such a calamity, by simply suspending the operation of an Act of Parliament. Therefore he thought that, acting under such an hypothesis, the Directors of the Bank of England had pursued the course best calculated to promote the immediate pecuniary interests of their proprietary. For so acting the Directors were not to blame, for they were not public functionaries, and they had been told over and over again in that House that the Bill of 1844 relieved them from all obligations to consider themselves as anything more than private bankers. It was quite a different question whether a banking corporation with the enormous power and capital of the Bank of England should be permitted to exist. It had, without doubt, the power of doing great injury to the community. He would, however, leave that question for the consideration of the Committee to be appointed by the right hon. Baronet the Chancellor of the Exchequer. In conclusion, he said that it appeared to him that the pecuniary embarrassment of the country could be traced partly to physical causes, partly to their own folly and imprudence. That that embarrassment had nothing to do with the currency of the country, nor could it be justly attributed to the provisions of the Bank Charter Act, nor to the conduct of the Directors of the Bank of England; but he said that when, in consequence of the unforeseen and disgraceful failures of so many of the merchant princes, a panic had seized upon the nation, then such had been the position of the Bank of England, that its Directors had been compelled by the provisions of the Bank Charter Act to act in a manner that would have placed the community in imminent peril. One word from the Government had allayed the panic and restored confidence. That interference was inevitable, but deeply to be regretted. Might it never be drawn into an evil precedent! And he entreated hon. Members not to suppose that any act of the Legislature could at once relieve the nation from the present pecuniary embarrassments, for those embarrassments had their origin in causes over which Parliament had no control, and they must suffer with patience, like men who had lived beyond their means, until they could retrieve their fortunes by prudence and economy.

Mr. CAYLEY said, he was almost persuaded, by the speech of the hon. Baronet who had just sat down, that he could trace in it the hand of the writer of some of those

articles which had lately appeared in a leading journal, and which had given precisely the same solution of our commercial difficulties as the hon. Baronet had done. He was sure there were few persons in the country, except the writer of those articles, who would be so bold as to deny altogether the pernicious effects of the Act of 1844 upon our commercial system: and, he should be very much surprised if the public out of doors would lend their sanction to the opinion of the hon. Baronet, that that Act had been in no respect the cause of embarrassment. If anything could be a matter of surprise in these days, it would be that no attempt whatever had been made to answer the comprehensive and conclusive speech of the hon. Member for Huntingdon (Mr. T. Baring); and from the fact that the hon. Baronet had omitted to do so, he concluded that that speech was unanswerable. To him (Mr. Cayley) it was some consolation, after witnessing the inundation which had swept away so many mercantile houses of such long standing, to see one merchant left, and that the first merchant, not only of this country but perhaps of any other, presenting himself to the House, and generously standing up for his order, and boldly furnishing the true solution of our difficulties. The hon. Baronet had gone over just the same ground as the Chancellor of the Exchequer, and repeated the dogma that it was not a deficiency of notes that had been the cause of those difficulties. But who had stated that that was the cause? It was the real and not the nominal amount of notes that was the question. The argument of Gentlemen differing from the Government on this question had been that the limit of 1844, appearing imminent in April, when the reserves of the Bank were so low, created a panic in the mercantile mind at those reserves being so low, and at the palpable want of power in the Bank to assist commerce, and that that had been the cause of mercantile discredit, and of the consequent embarrassment. In summer it was true that some temporary abatement of the pressure took place; but the first casualty, such as the failure in the corn speculations, brought back the discredit and pressure in a greatly aggravated form. And it was quite clear that if commercial difficulties were caused by a real scarcity of notes, arising out of a hoarding of them, and not from a scarcity in their nominal amount, those difficulties would have been relieved if the Government interference had come earlier. Then they had the same argument as that used by the Chancellor of the Exchequer, that a main cause of our difficulties had been the deficiency of capital. He should like to know, however, in what manner that assertion had been proved; for it had so happened that, though we had had this year a sudden demand made upon us for a supply of foreign corn, yet the Chancellor of the Exchequer had informed the House that we could raise 33,000,000*l.* to pay for it. That certainly did not show a deficiency of capital. Did the terms upon which the right hon. Gentleman contracted his loan in spring, viz., at 3*l.* 7*s.* 6*d.* per cent, prove the existence of a scarcity of capital? In the spring it had been stated that we had low stocks of all imported articles except silk and tobacco; at present we had average stocks of all these articles, except cotton, which was deficient in crop. Did that look like a deficiency of capital? Hitherto we had heard from the free-trade school no doctrine so often repeated as that of "buying in the cheapest and selling in the dearest market;" but what did the hon. Member for Southwark say? Why, that we had now to buy gold dear, and sell our best securities and our best goods cheap! He (Mr. Cayley) should like to know where was the profit which arose from transactions like that. But when the statement that there was a deficiency of capital was made, the real object must be to endeavour to account for the high rate of discount by an absolute deficiency of capital. What had taken place with regard to the reduction of the rate of interest? They had been 300 years, by the gradual accumulation of capital in this country, reducing the amount of interest from 10 per cent to about 4 per cent; and could any person think, after that experience, that scarcity of capital had caused a rise in the rate of interest of from 4 per cent in January, to 10 or 12 per cent in April? That while it took three centuries to effect a fall of 6 per cent in the rate of interest, it should take only three months to effect a rise of 6 per cent? It was arrant absurdity to suppose it. The present embarrassments arose not from a scarcity of capital, but from a scarcity of currency. They had been aggravated by the hoarding which had accompanied the general distrust. One thing fell from the hon. Baronet in which he perfectly agreed—the Chancellor of the Exchequer had no right to blame the discre-

tion or indiscretion of the Bank Directors for the present state of things. The right hon. Baronet had quoted the opinion of Mr. Jones Loyd on the matter; but he forgot to report to the House the expressions he himself used during the discussion on the measure of 1844. The right hon. Baronet then said, that the Act of 1844 would take away all discretionary power from the Bank. What right had he, then, to blame the Bank Directors, to whom, as he said, the Act left no discretionary power? Then there were the speculations in railways. These the right hon. Baronet had considered had materially assisted in bringing on the present crisis. Now he (Mr. Cayley) did not know any parties that had contributed more to the railway speculations than the Government of Sir Robert Peel, in neutralising that excellent report of the Board of Trade, which had been produced under the able auspices of Lord Dalhousie, and which entered into an investigation of each particular scheme, and into a subdivision of the various districts of the country the most immediately in want of railway accommodation. When that report was brought up, was it acted upon? No; it was thrown aside, and everything with reference to the multitude of schemes then afloat left to the lottery of Committees. Even after the potato failure in 1845, the right hon. Baronet the Member for Tamworth turned the first sod of the Trent Valley Railway; and in the performance of that interesting operation the right hon. Baronet took occasion to enlarge upon the immense benefit which must accrue from direct lines of communication. For that reason he said he had supported the Trent Valley project; and if another line were brought forward, still more direct, between London and Manchester, it also should have his best support. What could contribute in a more direct way to fan the flame of speculation than conduct such as this? The columns of every newspaper were filled with new schemes. The main speculation at that time was to procure a letter of allotment, and endeavour to sell it at a premium, before the next settling day. The moment there came a check upon this species of gambling—when parties who had paid money for these letters of allotment or for scrip found they were so much waste paper—a severe pressure and great distress existed amongst the middle classes. In the early part of 1846, when one-half of the Bills brought before Parliament were rejected, of course the parties who had paid the deposit on their scrip sustained great and ruinous losses. Those were the parties who had the greatest reason to complain of railway speculation, and who had suffered most from it. But those in this House who now blamed railways had no right so to do; for at first there had been the greatest disinclination on the part of Parliament to encourage that kind of speculation. Some years ago, many hon. Members would recollect, a competing line was projected between Birmingham and Manchester. Sir Robert Peel espoused the cause of the new line, while Lord Stanley opposed it. It was a hard battle, and eventually Lord Stanley won. Lord Stanley had justice on his side. That noble Lord was anxious to sustain the London and Birmingham Company in their new and then rather doubtful speculation. It was only fair to allow some time, in order to see whether the first railway really would pay, before the convenience of the public was consulted by the construction of a more direct line. This was during protection times; before the non-interference principle became so generally adopted; and in this instance, at all events, he left the House to judge which had been the most prudent course. The railways, deficiency of capital, the potato failure, and the insolvency of merchants, were the scapegoats upon which the ruin of so many great houses was laid. He (Mr. Cayley) was used to the saddle being always put upon the wrong horse in this question, and therefore attached very little credit to the reasons assigned. It was to him a matter of anomaly, and must be to others, that houses which had stood so long, and weathered so many storms, should simultaneously all of them be compelled to suspend their operations, while every house had sustained immense loss. That did not look like individual imprudence, so much as some general overwhelming cause. But the merchants of the present day at all events had learnt their lessons in the modern school — they had been gradually approaching perfection according to the doctrines of that school — and if they had failed, the school was to blame quite as much as they were. With regard to the statement of the right hon. Gentleman (the Chancellor of the Exchequer), able though he admitted it to be, he must say that, taking it as a whole, it did not give satisfaction to him (Mr. Cayley), nor did he think that it would give

satisfaction to the House. The Chancellor of the Exchequer considered that the two moving causes of the present monetary derangement were to be found in the deficiency of capital, and railway calls. But the Chancellor of the Exchequer was speaking for the Government when he made this statement; and how did it tally with the opinions already expressed by the only Members of the Government who had spoken on the question. His noble Friend (Lord John Russell) was a very material part of the Government; and he had said that he attached very little importance to railway calls as a cause of the commercial embarrassments. And what did the President of the Board of Trade say the other evening when the noble Member for Lynn mentioned something about "bankruptcy and shame?" The right hon. Gentleman said that he did not believe that the country was anything like in a state of bankruptcy. There was capital sufficient and energy sufficient left to speedily repair the late disasters. He (Mr. Cayley) should have liked to have heard the views of some other Members of the Government. With regard to the appointment of a Committee, under ordinary circumstances, such a course might have been satisfactory. But a Committee might mean many things. It might be formed for the purpose of giving the go-bye to an adverse resolution. The appointment of the Committee practically condemned the Act of 1844; and the House ought to insist upon the suspension of the obnoxious parts of that Act pending the sitting of the Committee. The pressure on the money market was not removed; the foreign importations were large; the balance of trade was really still against us. He feared they would have no immediate relief; that they would have to wait long and patiently for a reaction. The building was not indeed absolutely on fire, but the embers were still smouldering; and if the House did not suspend the Act of 1844 during the sittings of the Committee—likely to continue for ten or twelve months—the embers might again burst out into a flame, and they then would be something like philosophers looking calmly upon the work of destruction, while they stopped to scientifically inquire into the natural properties of the water which should be at hand to quench the flames. He should preserve the right of proposing or supporting a suspension of the Act during the sitting of the Committee. The Committee being appointed, he hoped that they would have a fair and searching inquiry. We had had enough of packed Committees, and wanted no more concocted or preconceived plans, but a thorough investigation with a view to thoroughly ascertain the causes of the alternations of prosperity and distress which he (Mr. Cayley) attributed to nothing else than changes in the value of money. He had one ground of confidence: the Chancellor of the Exchequer in the present instance had assumed a much less confident air than his predecessors on similar occasions. On many previous occasions he had heard irrefragable principles laid down always destined to be disproved, and many final settlements of this question never destined to be final. Irony, and sarcasm, and ridicule, used to assail all those who ventured to dispute the infallible dogma; but now he was glad to perceive that experience had produced some effect, at all events, in the manner of discussing the question. With regard to the statement of the right hon. Baronet, that the commercial embarrassments could not have been anticipated, he would only say that those embarrassments, in their main features, had been clearly foretold in the memorial presented by the bankers of London in 1844, as the consequence of the passing of the Bank Charter Act. Mr. Jones Loyd, it is true, said in his pamphlet, that it was quite necessary that the country should experience cycles of convulsion, in order to preserve the standard of value. That doctrine he (Mr. Cayley) disputed. Mr. Jones Loyd was well known to be the author of the Bill; but Mr. Loyd was not a Member of Parliament. He was the author of the Bill out of the House, but not the author of the Bill in the House. Mr. Loyd, out of the House, said that the very essence of the Bill was the convertibility of the Bank issues. Sir Robert Peel, in the House, said it was no such thing. On the 13th of June, 1844, Sir Robert Peel said that the Bank could always govern its own notes, but only "by a tremendous sacrifice of the mercantile and other interests." He said "that was what he wished to prevent," and "that he would compel the Bank of England to conform to certain principles advantageous to the public." How far had these promises been realised? Instead of having the panic of 1837, and the panic of 1839, we had had the panic 1847 twice repeated within the space of a few months; and mercantile men told them that the last was more severe and more pressing than any previous panic. So

much for the authorities on which Parliament had been accustomed to rely on this subject, and which for the future he hoped it would be equally disposed to distrust. The Chancellor of the Exchequer had given as a reason for fixing the minimum rate of interest at 8 per cent, that its object was to draw foreign capital to this country. If the Government, however, only wished to attract foreign capital, they should have left the pressure alone, for that was rapidly bringing down the prices of goods lower than the manufacturer could produce them at. The first letter from the Government to the Bank of England he quite agreed with, except that the relaxation ought to have come earlier, and that no minimum rate of discount ought to have been suggested by the Government. But in withdrawing their first letter, they should have placed the public on the same footing as that in which it stood previous to the issuing of that letter. The rate of discount before the publication of the first letter, was from 7 to 7½ per cent. The immediate effect of the letter was to raise the rate of interest from 1½ to 2 per cent, generally throughout the country, that is, to 9 per cent. And now when the bullion in the Bank coffers amounted to 10,000,000*l.* sterling, the Directors still charged equally 7 per cent, although they were charging 7 per cent practically with only 8,000,000*l.* bullion in their coffers before the Government letter was issued. It was only fair that, as the Government suggested to the Bank the high minimum of 8 per cent in October, they should also have suggested a lower minimum than 5 per cent in November. The Government was probably not at all aware of the mischief which had been done by their suggestion of the 8 per cent. Everybody expected that the Bank under pressure might charge a high per centage on advances, but nobody ever before heard of Government fixing the minimum rate. This step afforded money-lenders the ready pretext for charging exorbitant rates, and tended greatly to increase and to continue the depression and difficulty. The rate of discount charged, had been as high, in some instances, as 25 per cent, and this he attributed to the countenance afforded by the Government to usury. But one thing was clearly proved by their suggestion of the 8 per cent minimum rate of discount, viz., that the Government could not have believed in a real deficiency of capital; because if they had they would have been too happy to have had it come forth at 5 or 6 per cent, or at any price. His right hon. Friend told the House that the sums expended in railroads had caused the distress. In reference to this view he would venture to ask him one question: if the 7,000,000*l.* of bullion had not been exported, would the panic have arisen? No! Then what had the railways to do with it? But in relation to the expenditure on railways being the cause, did the Chancellor of the Exchequer intend by the expression of such an opinion to delude himself, or to delude the public? He attributed the pressure to the unusual amount of money sunk as fixed capital. Now what was the fact? If a manufacturer had 50,000*l.*, and embarked 25,000*l.* in building a mill, he might be said to have fixed half his capital. The capital was fixed, so far as the manufacturer was concerned, but it was not fixed as to other persons. It still remained as floating capital to them. The difference between fixed and floating capital which seemed to haunt the brain of the Chancellor of the Exchequer, was merely an imaginary one; and for this reason it was that it had not taken by storm the masculine understanding of his noble Friend at the head of the Government. When a man built a house, or made a railway, or a canal, the floating capital which he embarked in those undertakings was not buried and sunk and lost in them, and so disappeared altogether from view; but this floating capital was transferred from the party so embarking it to the party who constructed the house, the railway, or the canal; who in turn left with the first party, in exchange for his floating capital, a certain amount of labour, or labour's worth. So that instead of capital being really fixed, meaning by that term sunk, in a railway, canal, or house, it was, more properly speaking, labour that was fixed, realised, or embodied in it. This was the real truth on this subject; so long as the floating capital remained in the country. By an export of bullion, however, to correct the balance of trade, by investing it in foreign securities, or by Government expenditure out of the country, no doubt so much floating capital was really sunk to this country, until more favourable circumstances induced its return. Supposing 3,000,000*l.* were to be expended in railways per month, about one-fourth of the amount would be paid for iron and land. That immediately returned to the money centre. The other portion was

paid for labour, and passed through the baker, the butcher, and the general dealer, into a banker's hands. It might be two months going the round, but it then returned to float again through the country. If there had been really an absence of capital, as alleged by the right hon. Gentleman the Chancellor of the Exchequer, owing to an extensive outlay on railways, and this had been the cause of commercial embarrassment, it would have shown itself in this way. The labour employed in manufactures would have been in a measure supplanted by the labour employed on railways. The inevitable result of the withdrawing so much labour from the production of manufactures, would have been a scarcity of manufactured goods, ending in a rise in the price of such goods. Was that the case? On the contrary, the universal complaint was, that manufactures could not be sold except at a price ruinously low. So that the absence of capital in relation to manufactures, and the excessive outlay on railways, both proved insufficient causes for our commercial embarrassments. To illustrate the truth of the position that a deficiency of capital raised the price of an article, he (Mr. Cayley) would cite two instances which had occurred during the last few years in the United States. The two or three years previous to 1837 were years of great speculation in that country. Agriculture was neglected—almost deserted—and the result was a rise in the price of corn from four dollars the barrel to eight and ten dollars the barrel; which continued about thirty months. The other instance was that of cotton. Subsequently to 1839, from the great monetary pressure in England, the price of cotton had fallen in 1843 to about half what it was in 1838, so that it became more profitable to cultivate maize, sugar, and coffee rather than cotton. From this cause our cotton manufactures have lately been suffering from a scarcity of the raw material of these fabrics, and a rise in its price. The Chancellor of the Exchequer, therefore, had not given a satisfactory or a real solution of the difficulties with which the country had been surrounded. The cause of them had been much more truly and clearly traced in a memorial of the merchants, bankers, and traders of the city of London in June, in which it was stated, as was the fact, that whatever might be the effect of railways, no serious pressure existed in the country before April, when the Bank, owing to its resources being so low, and its fear of transgressing the limit of the Act of 1844, had applied the screw so rigidly as that for a short time all accommodation was refused. This was the origin of the panic; and this pressure the Bank was compelled by the Act of 1844 to produce, when it had somewhere about 10,000,000*l.* of gold in its coffers—while at this very juncture it refused to advance its notes even upon silver, although applied to in two separate instances to do so. The short history of our difficulties was this. Gold left the country for corn so rapidly in the spring, that after supplying the Chancellor of the Exchequer for his deficiency bills in April, the Bank of England found its reserve of notes so low that it was compelled to borrow money. The moment, however, it was discovered on the Stock Exchange that the Bank was doing this, all confidence in the Bank to support mercantile credit was gone, and a general discrediting of commercial paper, and a panic ensued. This panic gradually subsided before the appearance of fine weather in May, which promised a plentiful harvest and a partial cessation of the drain of bullion. But the same cause produced such a fall of prices in corn during the summer, that the corn merchants, who had speculated in the expectation of corn sustaining its price, began to fail. This disaster, so slight was the confidence which had as yet been regained by the mercantile body, produced a repetition of the panic, which resulted in such a suspension of all confidence, that bills of exchange, which usually form about eight-tenths of the circulating medium, became unmarketable, bank notes were hoarded by all who could lay hold of them as a shield against unforeseen contingencies; while the limited amount of bank notes remaining in circulation, had also to do the work of bills of exchange, which had ceased to be current. No wonder then that the scarcity of notes was real and intolerable. The floating capital of the country, as represented by bills of exchange, was palsied as if by a passage of the electric fluid; the Bank reserves were again so low, that the limit of the Act of 1844—the Gorgon's head—again showed itself, and turned everything to stone: and what was yesterday living, active, buoyant, floating capital, was to-day turned to a lifeless, shapeless mass of unmeaning lumber. The pressure on the mercantile body might be illustrated in some degree by a round game at cards, where each person had, say, two dozen counters at the beginning of the

game assigned to him on the condition that he replaced the same number of counters at the end of the game. But in the middle of the game comes some strong man, and forcibly abstracts half the counters, leaving the conditions of the game the same, viz., that each person should replace his two dozen counters at the end of the game. It was clearly impossible that all could do this; but the richest could, at a great sacrifice, obtain their two dozen counters; the poorest must suspend payment: and yet all might have remained solvent if the original condition of the game had been fulfilled. Just so had it been with the mercantile body during the pressure—the counters which they had at the commencement of their adventures, were abstracted before the conclusion—how, therefore, could they be blamed for not fulfilling their engagements? It was only wonderful how many had stood their ground. Just as well might a Member of that House expect to make a fluent speech, who was told five minutes before he rose, that he would only be allowed the use of half the letters of the alphabet. Such had been the results of a system which was called sound and stable, and which to secure the convertibility of about 10,000,000*l.* bank notes into gold, had sacrificed about 300,000,000*l.* of property. Were we to suffer the possibility of a recurrence of so blighting a state of things? Was it unreasonable on the part of the mercantile community, to expect a suspension of the fatal limit of the Act of 1844, until the Committee reported? That suspension, in a substantive form, would by himself, or by some more competent party, be shortly moved. And he did trust that those Members who had really the interest of the productive classes at heart, would support that proposition: he thought in common justice, they could do no less than afford general grounds of confidence, that henceforth there should be secured to the productive classes an atmosphere in which commerce could breathe, in which industry could thrive, and labour live.

Debate adjourned to Thursday.

EXPENDITURE OF THE IRISH LOAN.

Major BLACKALL moved for a return of the amount already expended out of the eight millions raised by loan during this year for the relief of Irish distress, and the manner in which it had been expended. In moving for that return, he fairly admitted that he was about to urge upon the Government the necessity of giving further aid by grant to the distressed Irish. He did not mean to ask the money to be given to his impoverished countrymen, but only that it should be placed at the disposal of the Lord Lieutenant, a nobleman in whom he himself, as well as Her Majesty's Government, placed every confidence.

The CHANCELLOR of the EXCHEQUER would not go into the subject then. He would merely suggest to the hon. Gentleman that he should recall his Motion. He (the Chancellor of the Exchequer) had given directions to have accounts prepared of the entire expenditure of 1846 in Ireland, both for the relief of distress and other matters. He had hoped that account would have been ready that day; but although he had been so far disappointed it would be ready soon; and as it would be found to be far more extensive than that which the hon. Gentleman asked for, it would answer all the purposes he sought.

Major BLACKALL withdrew his Motion.

House adjourned at a quarter past Twelve to Thursday.

HOUSE OF LORDS,

Thursday, December 2, 1847.

Minutes.] *Took the Oaths.*—Several Lords.

MURDERS IN IRELAND.

Lord FARNHAM presented a petition from the undersigned merchants of the borough of Southwark, on the subject of systematic murder in Ireland. The petitioners stated that they had heard with horror of the assassinations which were taking place in Ireland; that they conceived there could be no possible connexion between cold-blooded and deliberate murder and remedial measures; and they prayed their Lordships to pass such measures as would tend to put a stop to crimes of such harrowing atrocity. That until full security was given to human life in Ireland, no benefit whatever could possibly result to the social system. That nothing short of the most prompt and vigorous measures could encourage the introduction of capital into Ireland, to the benefit of its poor, and to the relief of the great body of the people in England from large and pecuniary contributions, which petitioners had hoped would have led to the suppression of crime, and a general good feeling throughout the country, but which had been followed by a succession of crimes unparalleled in atro-

city, and to a systematic detail of outrages unknown in any other part of the world. The noble Lord stated that the petitioners were men of the highest respectability and wealth. He would direct their Lordships' attention in particular to that part of the petition which would separate the consideration of systematic murder from that of remedial measures and the introduction of capital into Ireland. The noble Lord then laid before their Lordships the real state of Ireland as to crime. He felt that it would be very improper in him to allude to any specific measure then in progress elsewhere, but which had not come up to their Lordships' House ; but this he would say, that the most uncivilised country on the face of the globe could not present a picture of greater atrocities than Ireland exhibited. He was as much attached to his country as any one could be, and as much opposed to measures of unnecessary severity ; but he felt that no measures could be sufficiently stringent, and (however unconstitutional under ordinary circumstances) no measures could be too unconstitutional, to be applied at the present moment, without delay and with energy and perseverance, with the hope of crushing the murderous system which was desolating the country, and rendering the name of Ireland a curse and a reproach to all the rest of the world. It was his firm conviction that any measures, however strong or however unconstitutional in themselves, might with perfect safety be entrusted to the noble Earl at the head of Her Majesty's Government in Ireland ; whose admirable conduct had earned for him the confidence and esteem of every loyal person. And he would take that opportunity of tendering his thanks to Her Majesty's Ministers for even such a measure as they had introduced ; for he felt that, however weak or ineffectual it might prove, they had still taken a step in the right direction. One of the worst features in the state of Ireland, was the sympathy which existed with the murderer, and the invariable practice of concealing him from the hands of justice. He was too fond of his fellow-countrymen to attribute this to any innate badness of disposition ; and he really did hope that it proceeded from fear and the spirit of intimidation which prevailed; for in Ireland a poor man must be morally certain that if he were to inform against the murderer whom he had seen to commit the deed, or were to refuse to harbour and conceal him afterwards, the inevitable consequence would be the forfeiture of his own life. He would also point out to their Lordships this fact—that no reliance could be placed upon the apparent freedom of any one part of the country from atrocious crime. In those parts supposed to be as safe and as free from murder as the most prosperous and happy districts in England, in one moment the murderer's arm might be raised, hired and employed from perhaps a distance of 100 miles —against an unsuspecting individual, whom he had never seen before, and of whom he had never heard, until he was sent forth (at the peril of his own life in case of refusal) to do the bloody behest of a secret and assassinating committee. He would now inform their Lordships who were the individuals thus marked out for slaughter, and he need not add, that this sentence of death was almost invariably followed with its execution. They were not the hard-hearted, grasping, avaricious landlords, who took advantage of times of unprecedented distress to wring from a wretched starving tenantry prompt payment in the full measure of that rent, which, without any kindly assistance from him, their natural protector, was absolutely required to save them from starvation, and who in default of payment, expelled them from their homes and turned them loose upon the world. This was not the class of victims who fell beneath the bullet of the assassin. Their victim was of a far different stamp. Take the man who, by his example, his residence among his tenants, the constant and abundant employment which he gave to the labourer, the extensive relief which he afforded to the poor, his means, even beyond their limits, expended in works of charity and utility—take the man who acted upon the principle that all that he possessed was held in trust for the benefit of those over whom he was placed, and among whom he lived ; and who not only supplied the wants of those over whom he was providentially placed, but of those in his neighbourhood, whose landlords either would not, or could not, discharge their duties—the man who ought to be generally beloved, because he deserved to be so, and who did not guard against the murderer's aim, because his conscience had not told him that he had aught to fear, or aught with which to reproach himself—such a man, he told their Lordships, was the victim generally selected. It was not his intention to enter into a detail of the various murders which had fixed upon his country

an indelible stain of blood. He would merely refer briefly to the case of the Rev. Mr. Lloyd. If he was called upon to select, out of the whole of Ireland, one person who, during the past and the present year, had been more exemplary in his conduct, and more eminently useful than another, that individual was Mr. Lloyd. As a clergyman, his character was above praise, and in his capacity as a resident gentleman, all his exertions and all his means were devoted to the welfare of those around him. And yet the Rev. Mr. Lloyd, that excellent and benevolent man, was shot dead upon the public road, on Sunday last, on his return home from his own parish church, where he had been performing divine service. If there was one circumstance more harrowing to the feelings than another connected with this infamous and atrocious murder, it was this: A few weeks since, Mr. Lloyd's brother, to whom he was greatly attached, died of fever, caught in the discharge of his humane and professional duties as physician to the Roscommon county hospital. He left a widow with a large family. The late lamented Mr. Lloyd took upon himself the maintenance and support of the widow and her children; and this poor widow was now become doubly a widow, having lost within a few weeks, not only her own husband, but that kind relative who she had justly expected would have proved a father to her children. He felt that he had too long trespassed upon their Lordships' time. He must plead as his excuse the urgency of the subject; and he should conclude his remarks by stating that it was utterly impossible for their Lordships to form the most remote conception of the dreadful state of brutal crime which prevailed in Ireland; and though he had lived himself, two years since, under "the Reign of Terror," he would boldly assert, that the English language could not furnish words sufficiently strong to convey even a faint idea of its guilt and atrocity, or of the disgust, indignation, abhorrence, and detestation with which he viewed it.

THE CURRENCY—COMMERCIAL DISTRESS.

The Marquess of LANSDOWNE, pursuant to notice, rose to move—

"That a Secret Committee of this House be appointed to inquire into the Causes of the Distress which has for some time prevailed among the Commercial Classes, and how far it has been affected by the Laws for regulating the Issue of Bank-notes payable on demand."

The noble Marquess said, that no Motion could come before their Lordships of a nature more calculated than that was to command their most serious and anxious attention. The subject also was one with which the greater number of their Lordships were probably well acquainted; and if he were merely governed by that consideration, he should on the present occasion occupy their time with only a very few words. But under the present circumstances of the Parliament and the country, considering the vast importance of the subject—considering also the great attention that had been given to it in the other House of Parliament—he thought it would be disrespectful to their Lordships if he did not preface the Motion that he intended to make with some general remarks as to the necessity for the Committee that he meant to propose, and the probable tendency of its inquiries. He believed that the events of the last two years were of a nature that demanded from him not a great deal of comment—they constituted a period during which great masses of the community underwent much suffering, and there could be no doubt that the events of that period were, on the whole, extremely prejudicial to the general interests of the nation, there was one great subject which, of course, attracted universal attention, he referred to that distressing dispensation of Providence which withheld from them a large portion of the ordinary produce of the soil. It was obvious that such a calamity could not have been averted by any human precaution; it was obviously not in the power of Parliament to repair an injury of that description, or to replace completely any deficiency which the operations of nature had occasioned; yet it had been found extremely difficult to impress upon the minds of the large mass of the community, that it was not within the scope and power of Parliament to do more than this, in alleviation of the calamity, viz., in some degree to regulate the distribution of the amount of produce that remained. So with respect to that other source of our distress, which did not arise from any visitation of Providence, but which proceeded, more or less, from the rash, ill-advised, and ill-imagined speculation of men: that source of our difficulty was nearly as much beyond the reach of legislative enactment as were the causes which had so greatly diminished our supply of food. Those speculations, as he need scarcely remind their Lordships, had produced a great demand upon the capital

of the country—a greater demand than that capital was capable of supplying. To assist the capitalists of the country, under such a pressure, by anything partaking of the nature of that false and ill-advised policy which would create fictitious resources, would be a course which he, for one, could not be induced to propose, and which he fully believed that their Lordships could not be induced to sanction. It was perfectly obvious that no amount of capital which partook of a fictitious character could be made to add to the real resources of the country; and, whatever inquiry their Lordships might be pleased to go into, he entertained scarcely a doubt that strong evidence would be brought before them, founded even upon the events of the last few weeks, which would show that the positions he had just laid down rested upon a solid foundation. When he, in common with other Members of Her Majesty's Government, had been asked whether they thought that the Bill of 1844 had been followed by the effects which it was intended to produce—when he was asked whether or not it ought to be continued—neither on his own behalf nor on behalf of Her Majesty's Government was he prepared to say that that Act ought to be repealed. While, on the other hand, when he was asked whether, under all circumstances, and at all events, and at all hazards, he was prepared to maintain that Act unchanged, he declined then, and he now declined, to answer any such question. After the events that had taken place, he was no more prepared to say that that measure had been the cause of our safety or our suffering, than he should be prepared to affirm that the construction of a particular vessel had enabled her to escape a sweeping tornado, and sail safe and unharmed into port. He might be told, as he had been told, that such a construction was not fitted to enable the vessel to grapple with such a series of events as those to which she had been exposed; so he was not prepared to say that the existing state of the laws which regulated our currency had or had not been sufficient to enable the country to bear up against its present difficulties; but this he was fully prepared to say, that he had no intention to propose the appointment of a Committee for the purpose of going into inquiries with a view to the revision of the currency as it now existed, subject to convertibility into the precious metals—that he had no intention to propose from that basis to depart. He had said thus much to prevent any misapprehension on the subject. He now came to the question their Lordships were invited to consider. It was simply this—whether an Act passed in the course of the last three years, for certain defined objects, had answered its purpose, or whether it had been attended with any mischievous effects under circumstances entirely unexpected and new. He thought it right he should here indicate shortly the objects which, in his opinion, would come within the sphere of the proposed inquiry: these were, first, what were the provisions of the Act of 1844, to which their Lordships had given, if not an unanimous, at least a very general concurrence; second, what had been the peculiar circumstances of the last three or four years in which the Act had been in operation; and, third, such being the peculiar circumstances, what effect had the existence of the Act had upon those circumstances and upon that distress. The Act of 1844 had been passed too recently for any important part of its provisions to have escaped their Lordships' recollection. It was proposed for the avowed purpose of giving greater solidity and certainty to the operations of the Bank, by confining within certain limits its issue of notes, in proportion to the amount of gold in its coffers. Before that the convertibility of the paper of the Bank had been the fundamental law of the country; but notwithstanding this, occasions had arisen when the Bank of England, the mainspring and hinge of all the commercial affairs of the country, had been on the verge of a situation in which it would not have been able to comply with the law, and might have been compelled to resort to foreign aid from positive disability to meet its engagements. The object of the Act of 1844 was to introduce a greater degree of safety into the existing system, preserving enough of it to induce the greatest degree of economy in the use of gold. It was intended to leave as great a portion of paper to perform the office of gold as could be left with safety to the system and to the public. The Bank was allowed to issue 14,0000,000*l.* in notes on securities; but for every note issued beyond that sum there must be in the Bank an equal amount of sovereigns. He now came to the circumstances under which this Bill had been subjected to the severe trials of the last autumn; and he thought it his duty to point out to their Lordships, although it would be a subject for inquiry by

the Committee, that the commercial and financial crisis of that period was one, unfortunately, exceeding in its intensity any that had heretofore occurred. He would state what had been the demand for railway expenditure during the last few years, and the rate at which that demand had increased—being a demand for the employment of capital, not for circulation, but for fixed purposes; not for increased floating capital, which could be tranferred from one object to another, but for capital to be invested in such a manner that it could not be extricated and carried to other objects where its use was desirable. In the years 1841, 1842, and 1843, the demand for capital for railway expenditure was on the average 4,500,000*l.* In 1844, it increased to 6,000,000*l.*; in 1845, it was 14,000,000*l.*; in the first half of 1846, it was 9,800,000*l.*; and in the second half of the same year it increased to no less than 26,000,000*l.*, making nearly 36,000,000*l.* for that one year. In 1847, up to the 3rd of June, the demand was 25,770,000*l.*; up to the 4th of December, 38,000,000*l.*; making a total of 63,770,000*l.*, thus doubling the sum of 36,000,000*l.* demanded in the previous year. It was impossible even for a child to hear such an account read without asking the question whence was all this capital to come? How was all this money to be created from month to month, and year to year? There were no visible means of supplying it. He did not know whether he should be told it existed somewhere in some boundless mine, from which the Bill of 1844 cut off the supply; but he believed no such thing. He did not believe that that Bill or any other Bill prevented any person from having access to such funds if they existed; but he believed they existed nowhere, save in the imaginations of speculators. No sound legitimate means of providing such an expenditure, so to be locked up, could be provided; but the matter was one for their Lordships to inquire into and ascertain. But this immense demand came in concurrence with another—one of infinite importance—one that could be less attributed to any fault or misconduct on the part of any individuals or body of individuals, for it arose from a calamity inflicted by the hand of Divine Providence. Nevertheless, that demand came at the same time with the other, and added to the difficulty; it increased the commercial embarrassment the country had had to struggle with in the course of the last few months. It necessitated a large importation of corn, the demand of money for the payment of which was from June, 1846, to January, 1847, 5,139,000*l.*; and here he begged to express his gratification that this drain was not likely to be required during the ensuing year. The amount paid for corn imported from abroad in 1847 was still greater. From January to July, 1847, there was paid for foreign corn 14,184,000*l.* and from the 5th of July to the 18th of October, no less than 14,240,000*l.* Whether the disorder thus caused by the concurrence of the pressure from these two different sources was aggravated by the operation of the Bank Charter Act, or any other statute, it would be for the Committee of their Lordships' House to consider and inquire. He did not himself believe that that measure had any share in producing a state of disorder which must ultimately have been produced under the circumstances of the country. He believed the pressure which had arisen must have existed with or without that Bill; and he would go further, and say, that if the effect of the Bill had been—what he was not prepared to deny—to cause the pressure to be felt and foreseen somewhat earlier than it otherwise would have been, then it had effected a great good. He believed, that the operation of the Act of Parliament, acting compulsorily on the Bank, compelled the commercial public in this country to perceive that it was outstripping its means, and was endeavouring to accomplish that which it was unable to perform, and that thus a valuable service had been done to the country by applying to all parties that lever which was the only one that could be safely had recourse to on the occasion, and forcing them, not suddenly but gradually, to draw in the extent of their operations. Now, the state of the country was such, that the perception which had been brought upon the public faculties would appear like a glare of light, illuminating, it is true, that which had been in darkness before, but illuminating it only to show the precipice on which the public were standing, and thus increasing the terror which the danger of their position must inspire. The effect had been to alarm all persons in the country, and thus to create something like a general panic. He was not prepared to say to what degree the panic might have been so occasioned, or so increased by this Act; but he was prepared to say, that when that pressure went beyond that which he might call a

legitimate pressure, beyond that degree of pressure which must exist from time to time for the purpose of compelling those engaged in speculations to keep within solid, discreet, and sufferable bounds—when money had been called up from every quarter, and taken out of the usual course, or usual means of investment, and withdrawn from channels in which it should legitimately be employed—then he would not deny that the panic was in itself a great calamity, and one which called, as in the present instance it did call, for the immediate attention of Parliament. With respect to the pressure, he believed no means could have been taken by which it could have been averted; but with regard to the panic, there were undoubtedly occasions in which the Government could act for its alleviation. He believed, that when there had been created in the country, almost universally, a disposition not only to obtain money by speculative means, but to draw money out of every place and every channel in which it had been invested—a disposition to diminish all balances at the banker's, and in short to create that which did not exist usually in this country—a desire on the part of every person to keep a quantity of money in his own possession, and under his own immediate control, beyond what under ordinary circumstances they would require, that then Government was bound to step in, and endeavour to restore the circulation to a proper and regular channel. He considered that the time for such interference on the part of Government had recently arrived; and he did not think it would be denied that the interference of the Government had been satisfactory. He said so, because, not many days—hardly many hours — had elapsed after such interference, before the confidence which had been suspended was restored, and that, without any additional demand being made on the Bank; and, above all, without that proportion which in 1844 Parliament imposed on the Bank between the amount of its gold and of its currency being deranged, the panic at once subsided, and every man felt that he had, under certain circumstances at least, the means of realising what he wanted; and that if he were entitled to have his 1,000*l.* or his 10,000*l.*, that 1,000*l.* or 10,000*l.* was secured to him. He was not now going to argue the question of the Bank Charter Act; but he would say, that that Act might exist for twenty years without any such occasion again arising. He was not prepared to say, that no circumstances could again arise in which it might be necessary for the Government or for Parliament to interfere with the stringent provisions of the statute. It would be for their Lordships to consider whether, under any circumstances, they might not retain the operation of the Act itself, but at the same time, whether some overruling power might not be with advantage entrusted to the Government of the day. That point, he thought, might be left to the careful consideration of their Lordships; but at the same time he felt bound to say for the Government and for himself, that they had nothing to regret in the course that had been pursued, and that the suspension of the provisions of the Act, or the authority which had been given for that suspension, had been attended with the most beneficial results. It was not to be expected that upon such a difficult subject perfect unanimity could prevail among their Lordships; but he anticipated much good, and the acquisition of much valuable information, from the appointment of Committees of Inquiry by this and the other House of Parliament, and from the evidence which would be given before them by those individuals who had most deeply thought upon the subject. He trusted that the view taken of the subject by Her Majesty's Government would be confirmed by the Committee which he proposed. The inquiry which he now proposed was not one calculated to lead to party discussions, for the Act of 1844 was not made at the time a question of party politics; sitting as he did on the benches opposite at the time it was first brought forward, he voted for it. He did so because he felt convinced of the great danger of allowing the inconvenience which had so often been felt from the former mode of conducting the affairs of the Bank to continue; and when the Government of the day came forward with a measure to prevent the recurrence of the disorders which had before been experienced, he felt disposed to accept of their proposal, and to give the measure a full and fair trial. He was sure the noble Lord opposite (Lord Stanley), himself a Member of the Government by which the measure had been introduced, could not but feel some parental yearning towards his own offspring, and that notwithstanding all that had passed since that time, he would not now be found anxious to attack a measure which he had himself contributed to bring to life. Having thus briefly vindicated the course taken by Her Majesty's Govern-

ment, he would leave the question in their Lordships' hands. He would himself have perhaps wished that this inquiry had taken place at a somewhat later period, after the immediate tumult of the recent panic had subsided. But at the same time he trusted that the effects of the crisis would not last so long that their Lordships would not be enabled to give the coolest as well as the fullest consideration to the subject of this inquiry. The noble Marquess concluded by moving for the appointment of the Committee in the words of the notice.

Lord STANLEY: My Lords, while there are portions of the noble Marquess's speech in which I am disposed altogether to concur, and while I agree with him that this is not an occasion on which to enter into any extended discussion of the very large and complicated question which is necessarily involved in his Motion, for the appointment of a Committee to inquire into the causes of the recent commercial distress, and its connexion with the laws affecting monetary regulations, I wish I could agree in what the noble Marquess appears to anticipate—an almost unanimous feeling on the part of your Lordships in approbation of the course taken by Her Majesty's Government with regard to this matter. My concurrence I undoubtedly give, cheerfully and readily, in the appointment of the Committee. If an inquiry before a Committee is the only course which Her Majesty's Government are prepared to submit to the consideration of your Lordships and of Parliament on this subject, then I think, with all deference for the other House of Parliament, that such an inquiry should not be exclusively carried on before the House of Commons. I think that if an inquiry is to be instituted by Parliament, it is desirable that such an inquiry should be carried on simultaneously by your Lordships' House and by the other House. With this view, and understanding that it had not been the intention of Her Majesty's Government to propose to your Lordships the appointment of any Committee of the description which the noble Marquess now moves for, I felt it to be my duty, on a former evening, to give notice of my intention to move for the appointment of this Committee, for the reasons I state. I wish I could say—which I cannot—that this, and this alone, is the course which Her Majesty's Government are in duty bound to pursue. Among the causes which were put prominently forward for the meeting of Parliament—and it was a cause which undoubtedly went home to the feelings of every man—I find that of the commercial distress under which the country has been suffering—a distress which I cannot agree with the noble Marquess in calling recent, but which I would rather describe in the words of the Speech from the Throne, "the distress that for some time has prevailed among the commercial classes"—when that cause existed to an extent that, if the Legislature was to interfere at all, not only justified but rendered necessary the calling together of Parliament immediately and without loss of time; and I am sure none of your Lordships could consider that the inconvenience of being called together at this unusual period of the year is more than the weight of a feather in the scale, while any palliation of the sufferings of the country may be effected by our prompt interference—when that distress has, I say, prevailed to a degree of intensity and magnitude which the noble Marquess has very far from overstated (but which I think he has understated in the statement he has just made to your Lordships), and when it has been the cause of Parliament being called together—then I hold we had a right to expect from Her Majesty's Government that they should at least be prepared to come forward with such measures as they think expedient for the purpose, not of removing—for I agree with the noble Marquess that that is beyond the power of any Parliament, or of any legislation—but of palliating that distress, the magnitude of which they put forward as the cause of calling Parliament together at an unusal and inconvenient period of the year. We have sat for fourteen days. It is now precisely fourteen days since Parliament was called together, and yet what does the noble Marquess tell you? He tells you that with regard to the cause of the distress, he is not prepared to give an opinion, and that with regard to the remedy or palliation of that distress, he and Her Majesty's Government have no suggestion to offer—that they are prepared to appoint a Committee to inquire into the causes which have led to the distress, but that as to any opinion of their own they have none whatever. I repeat the noble Marquess's own expression. As to any effect which the Bank Charter Act of 1844 may have had on the distress of the country, the noble Marquess told us distinctly that he did not express, or had not formed, any opinion whatever. On the degree to which that

Act had affected the general mercantile distress he had no opinion, or Her Majesty's Government had no opinion to offer. [The Marquess of LANSDOWNE explained that his allusion had reference only to the distress which prevailed during the last two or three months.] But the distress of the last two or three months has been the cause of Parliament being called together. It is on account of the magnitude to which that distress has arisen that your Lordships are called together thus inconveniently early; and yet the noble Marquess came down to tell you that on that subject, that most important subject, which we are called upon to inquire into—the effect which the Bank Charter Act had on the recent crisis—he has not expressed or formed an opinion; that he goes into the Committee perfectly uncommitted to any view, and without having formed any opinion on the subject. That such should be the case is to me surprising; for I cannot reconcile the meeting of Parliament at this early period with the mere purpose of appointing a Committee to make inquiry, which inquiry the noble Marquess would infinitely prefer had been postponed until a much later period. Her Majesty's Ministers have nothing to propose, no recommendation to suggest, no opinion to express. They have merely resolved to call Parliament together in order to appoint a Committee, which the noble Marquess tells you had, in his judgment, better not be appointed until some future time. Now, if that Committee is not expected to provide a remedy for the existing evil, I agree with the noble Marquess that it would have been much better to postpone the appointment of it to a future period. If the object is only to inquire into the past, and leave the subject of calm, deliberate legislation for the future, then I say, make the inquiry when the crisis has passed over; and it will thus be distinctly understood that for the mitigation of the existing distress, neither this Committee, nor any other measure that Her Majesty's Government are prepared to suggest, is to have the slightest effect. Your Lordships are called upon to appoint a Committee to consider the causes of the recent commercial distress. Now, let it not be supposed that my opinion is, that the Bank Charter Act, or any single measure, was the cause, or even the prominent cause, in producing that distress. I might say that I could put out of consideration altogether the question whether the Bank Charter Act had any share in producing the distress. The question, which I think has been solved by the act of the Government itself, was, whether the Bank Charter Act had aggravated the pre-existing panic, and by doing so had added to the distress. Her Majesty's Government ought to have formed and have expressed to Parliament an opinion whether the Bank Charter Act had so affected the distress. If they thought it had not, it was their duty boldly to state that under all circumstances and at all hazards that Act was to be maintained unimpaired and unaltered. On the other hand, if it were their opinion—as from the course which they adopted one would suppose it must have been—that at the time when the operation of the Bank Charter Act was most relied upon, and when it was most imperative that the Bank should be restricted, the Act broke down, then, notwithstanding the varied similes which the noble Marquess has brought forward, I cannot help thinking that a *primâ facie* is made out that the Act, when it was most wanted, and when all the maxims of commercial prudence would require the operation of its provisions, became impracticable, and was found to fail in its object. The noble Marquess referred to me as one of the framers or parents of the Act of 1844, because I happened to be a Member of Sir Robert Peel's Ministry when it passed through Parliament; and he called upon me not to disown my own offspring. I am not one who am desirous of avoiding any responsibility which may properly attach to me in my place as a Peer of Parliament, or from my former position in Her Majesty's Government. I think, however, that the noble Marquess must be well aware that in the ordinary business of Government those departments that are particularly charged with any distinct branch of the public business have, I will not say an exclusive, but a preponderating influence in regulating it; and though I admit that as a Member of Sir Robert Peel's Government I am bound to take my due responsibility of supporting the introduction of that Act, yet I think the noble Marquess went a little beyond the limits of fairness when he spoke of that measure as my Bill and my "offspring," and applied to me a charge of inconsistency for the course which I now take. Now, in the first place, let me ask whether, in the first instance, the Bill was not as strenuously supported by the present Members of Her Majesty's Government, at that time sitting on the other side of the House, and especially

by the present Chancellor of the Exchequer, who had been for two years chairman of the Committee on Banks and Banking, as by any Member of the Government of Sir Robert Peel; and yet those who so supported it, feel themselves compelled, when the crisis comes, to abandon it at the time when it was most required? In the next place, they came forward to inquire what effect that Act had on the distress of the country, thereby implying a manifest doubt —to say the least of it—whether it had not had an injurious effect. But I am ready to assume all the responsibility attaching to the passing of that Act, and I say it is perfectly consistent on the part of any Member, however prominent in the introduction of the measure, and adhering to all the main principles involved in it, to entertain a doubt—a more than doubt—whether subsequent to 1844 the operation of the Act has been such as was anticipated for it by the Government. If you find that a measure, however well designed, fails in its object—if you find by experience that an enactment breaks down in operation, are you not to condemn it because you were yourselves parties to its introduction? If such be the rule, there is an end—not to all consistency — but an end to all statesmanship, and to the value of experience. In 1844 it was truly stated, both by Sir Robert Peel and the Chancellor of the Exchequer, that on that subject inquiry had been exhausted. But what was that inquiry? It was an inquiry among the most practical and competent men—among those who had directed their attention most closely to the theoretical part of the subject, and who were examined as to the principles on which the Act of Parliament should be founded. I agree entirely with the noble Marquess in his statement of those principles. They were, first, to adhere to a metallic standard; next, to secure practically the convertibility of your paper currency into gold; and, thirdly, another and very important principle, to give to the Bank of England a controlling power over the circulation of the country, by which they could regulate it more or less in accordance with the state of the foreign exchanges. Now, it is consistent in one who upheld and adheres to every one of these principles, to think that the experience of the operation of the Act from 1844 to 1847, has demonstrated that the restrictions imposed by that Act on the proceedings of the Bank of England, are restrictions unnecessary in themselves and injuriously affecting the exercise of the discretion which should rest in the Bank Directors. The main question is, whether, by restricting the Bank to the issue of notes not exceeding by more than fourteen millions the amount of bullion in their coffers, and with one-fifth part only of that bullion being permitted to be kept in silver, we did not unduly fetter the Bank of England, and prevent them from giving the extent of accommodation at a certain time, which the amount of bullion in their coffers, and their knowledge of the influx of bullion from foreign countries, would have safely warranted them in giving, if the restrictions imposed by this Bill had not stood in their way? Now, is not that subject one for legitimate inquiry in reference to the effect of the Bank Act of 1844 on the distress of 1847? And is it not one which the noble Marquess and her Majesty's Ministers, with the information which the Government possess, and with the intense anxiety with which they no doubt watched over the whole progress of that distress, ought to be prepared to offer an opinion upon? On referring to the letter of the 25th of October, it appears that the Government, for the purposes, as they then stated, of restoring confidence and removing that panic by which the commercial embarrassments of the country had been so greatly aggravated, felt it necessary to authorise the Bank to violate the Act of Parliament. Now this is a dilemma that they cannot get out of. If the Act did not create that panic, or aggravate the embarrassments that prevailed, what was it which induced Her Majesty's Government to take so extraordinary a step as to advise the Bank authorities to violate the Act of Parliament? I do not mean to say that authorising the Directors to violate the Act was not a wise measure. I think it would be better if it had been adopted earlier; but it was a measure which, when adopted, violated the Act, and condemned its efficacy at the very time it ought to have been most effective. They acted at all events in a way which showed the feeling of the Government to be condemnatory of it. I well remember that at the period of the passing of the Act, a Member of the other House of Parliament (Mr. Raikes Currie), one of the warmest advocates of the measure, in allusion to the proposal for giving a power to the Government to authorise the Directors to exceed the provisions of the Bank in

certain contingencies, said how extraordinary it was that they should approve of the structure, that they should admire its beautiful symmetry, and the perfection of the scale on which it was constructed, and yet be willing to demolish all its strength, and destroy all its symmetry, by taking away the keystone of the arch by which all was held together. I said just now, my Lords, that I thought Her Majesty's Ministers had underrated the amount of commercial distress, and I said I thought that an interference at an earlier period would have tended to mitigate that distress. In so saying, I proceeded upon the assumption of the consequences which followed the interference of the Government, as stated by the noble Marquess, who alleged that by permitting the violation of the law, they so far restored confidence that there was an immediate diminution of the panic, and an immediate influx of bullion into the coffers of the Bank. I have had placed before me a nominal list of commercial houses, 106 in number, which have become actually insolvent between the months of July and November; and from that statement are excluded all houses which have entered into private compositions with their creditors, all failures on the Stock Exchange—which have not been few in number—all houses the liquidation of whose engagements is not actually under inspection; and that class involves one house whose liabilities are enormous, amounting to several millions. It, besides, does not include one single house the liabilities of which do not exceed 20,000*l.*; and the whole number of houses that failed, with their liabilities, are returned thus:—In July two became insolvent, the joint amount of whose liabilities were 210,000*l.*; in August, sixteen gave way, for a total amounting to 2,369,000*l.*; in September, twenty-six broke down, for 6,520,000*l.*; and in October, thirty-five went, for a total of 6,840,000*l.* Making in all, from July to the period at which for the first time Her Majesty's Ministers thought it fit and wise to interfere, failures of seventy-nine houses, involving liabilities to the amount of 15,969,000*l.* Now, I concur entirely with the noble Marquess in some of the observations with which he opened his speech. In the first place, I entirely agree with him, that it was impossible for any form of legislation or for any Government to prevent those distresses which occurred from the failure of the agricultural productions of this country, or those which arose from rash speculations. But I think it impossible that amongst that list of commercial houses which have failed for such large sums, from July to October and November—I think it impossible, I say, but that amongst them there must have been some, and there may have been many, which an earlier interference by the Bank of England might have saved from ruin; and by saving them might have prevented the ruin also of many more lesser houses that were dependent upon them. I have stated the liabilities of the houses only which have failed; but, my Lords, that is not to be taken as the measure of the whole loss to the commercial houses of the country. It is but a small part of the general loss. You know the amount of the liabilities of those which have fallen, but you know nothing of the losses sustained by those which stand as yet, but in so precarious a condition as to render it doubtful how long they may be able to carry on their business, and certain that they must at all events contract their dealings greatly. The noble Marquess has used the expression (and I trust he will not object to alter the wording of his resolution in that respect) "recent," in speaking of the commercial calamity of this country. That expression, my Lords, conveys the idea that the distress has passed away. By a singular coincidence, on the very first day that Parliament assembled, the Bank reduced its rate of discount from 8 to 7 per cent; and on the very day that the noble Marquess comes down to this House to ask your Lordships to appoint this Committee, that is to say, within these three hours, the rate of discount has been further reduced from 7 to 6 per cent. But, my Lords, although the Bank of England may be in a state of less difficulty than it has been, so far am I from thinking that the distress of the country has passed by, that I fear the worst and severest portion of that distress has yet to come. You have yet to receive accounts from abroad of the effects of the recent failures in this country. You have as yet received no accounts from India of the consequences there of those failures. But if I am to believe what I have heard, and accounts that I have received from quarters supposed to be well informed upon the subject, three months will not have elapsed before you will hear of the sweeping off of some of the greatest houses in Calcutta. Our merchants in Manchester, Birmingham, and

elsewhere will, ere many months more have elapsed, be receiving back in payment for the goods which they may have shipped, bills upon those houses which have failed; and the full effect of the pressure which has reduced so many great houses, has yet to be felt, when in its return it shall have fallen upon the smaller houses, upon the tradesmen, the retail dealer, and upon those employed in the production of manufactures. And whether you look to the railway interest, or to any other department of industry in the country, you will find, I fear, that many will be thrown out of employment, and that you will have increasing distress. It is not my intention, undoubtedly, to offer any opposition to the appointment of the Committee which the noble Marquess demands; but I must dissent from one proposition which he put forward in asking for it. The noble Marquess said, that important as was the subject of the inquiry, it was a very narrow one. Narrow, my Lords, narrow!—an investigation into all the causes of the recent commercial distress, one question being as to the effect of a particular Act of Parliament, the consideration of which must occupy much time, and is certain to lead to great difference of opinion? Narrow!—when not only the operation of that Act, but the questions of over-trading, of railways, the conduct of the Bank of England, free trade, and every other matter to which any portion of the distress can be attributed as an effect, are involved in it? Why, my Lords, when the noble Marquess says an inquiry of this importance is narrow, I am utterly confounded; and I can only wish to know what the noble Marquess would consider an extensive one. Long, my Lords, before any results of this inquiry can have taken place—long before the Committee shall have closed its labours and made its report, the crisis will be over. And, so far as we can judge from the opinion which the Government has formed, we may presume that the report of the Committee will be something to the effect that they will be sorry to hear of the distresses; but that nothing could have prevented over-speculation—nothing could have prevented the occurrence of a bad harvest—and however much they regretted the mode in which the Bank Charter Act operated, it had nothing to do with causing the distress. The noble Marquess has said, and I concur with him, that no circumstances, and no legislation, can make up for a loss of supply in the agricultural produce of this country, and the consequent necessity of importing a very large amount of foreign corn. Undoubtedly, an importation to the amount of 33,000,000*l.* in value, within eighteen months, as stated by the Chancellor of the Exchequer, or of 20,000,000*l.* within a twelvemonth, as stated by the noble Marquess to-night, for the purpose of supplying a deficiency which should have been supplied by our own country, is an immense loss of capital, and sufficient to have caused the great embarrassment which has occurred. But the noble Marquess entirely misunderstood me in what I said the other night, if he thought that I attributed to free trade the large importations of foreign corn which have taken place during the last three years. I maintained that whether under a system of free trade or protection, that importation would have taken place. That under the former corn law it would have taken place, as well as under the system which repealed that law. But what I maintained, and am prepared still to maintain, is, that whereas those who advocated free-trade principles predicted as a necessary consequence of that importation of foreign corn a large exportation, in return, of our manufactures, and great national prosperity in consequence; we, on the contrary, maintained that such exportation did not follow as a necessary result. There was one other observation of the noble Marquess to which I wish to refer. He said that nothing could guard against great and unnatural speculation. I do not deny it. But I ask, upon whom ought the blame of those enormous speculations in corn to rest? I say that Her Majesty's Government are not wholly blameless in this matter. You held out inducements to those speculators in corn, and encouraged the vast importation. You came down and asked to have the navigation laws suspended, in order to enable foreign corn to be more freely brought in. I think, after that, it is rather too much for Her Majesty's Government to turn round and say—it is impossible that any Government could guard against the consequences of rash and dangerous speculation? I will not trespass further on your Lordships' time. As I before observed, I have no opposition to give to the Motion of the noble Marquess. But I must hold it as my deliberate judgment, that a question such as this ought not to have been thrown by the Government loosely upon Parliament and the country for a decision. I think it was

their duty to have expressed some opinion upon it, and that they ought to have proposed any palliation by law which they thought practicable. They have shrunk from that course. I will not give any formal notice at present; but Her Majesty's Government having stated that the appointment of the Committee is the only measure they intend to propose, they must not be surprised if other parties, less bound by the obligations of their position, assume to themselves the task of suggesting measures which they think suited to meet the exigency, and voluntarily assume a responsibility from which Her Majesty's Government appear to shrink.

EARL GREY: My Lords, I should not have thought it necessary to have troubled your Lordships with any observations upon the present occasion, but for some expressions which were used by the noble Lord who has just addressed you. He has attributed it as a matter of blame to Her Majesty's Government, that under the present distressing circumstances of the country they have contented themselves with a Motion for the appointment of a Committee, which the noble Lord says will have no practical effect upon its condition; and he has added that some measure of a more practical nature ought to have been proposed. Now, at the beginning of his speech the noble Lord adverted to the same topic. He said, if you have no measure to propose, why should Parliament have been called together? If the noble Lord had referred to Her Majesty's Speech at the beginning of the Session, he would have seen that, in our opinion, there were good grounds for calling Parliament together, although we did not think it possible for Parliament or Government to aid in palliating the existing distress. My opinion is in accordance with that of the noble Marquess, namely, that the distress under which the country is labouring is easily attributable to causes not only sufficient to account for it, but so powerful, that, great as the sufferings are, I am surprised they are not still greater. I believe that suffering, in part, arises from causes such as neither Government nor Parliament have any power over—from the dispensations of Providence—partly from causes attributable to the imprudence of individuals—and partly, it may be, even arising from the imprudence of the Legislature. Those causes have now been operating some time, and it is utterly impossible now to avert their consequences. But, holding these views as to the causes of the distress, there still was an obvious reason for calling Parliament together. We had taken a measure which might very probably have led to a violation of the law. If we had, we should have been obliged to ask for a Bill of Indemnity. We should not, as the noble Lord opposite himself remarked, have taken such a step without giving Parliament the earliest possible opportunity of pronouncing an opinion upon it. We were bound to give Parliament that opportunity. An Act of Indemnity would have been indispensable for the Bank Directors as well as for the Government, had the law been violated, for we have held out encouragement to the Bank Directors to take the course which might have led to that violation of the law; and it was right that Parliament should have had an immediate opportunity of pronouncing an opinion, and either permitting or censuring the act as it should think proper. But, my Lords, if you look to Her Majesty's Speech, you will find that we do not hold out to Parliament or to the country any hope that we were about to propose measures for the relief of the distress. The words are these:—

> "Her Majesty has seen with great Concern the Distress which has for some Time prevailed among the Commercial Classes. The Embarrassments of Trade were at one Period aggravated by so general a Feeling of Distrust and of Alarm, that Her Majesty, for the Purpose of restoring Confidence, authorised Her Ministers to recommend to the Directors of the Bank of England a Course of Proceeding suited to such an Emergency. This course might have led to an Infringement of the Law."

Surely, my Lords, there is nothing in these words which could lead to an expectation of certain measures of any description being about to be introduced. But such measures as we thought could tend to alleviate the distress we have already laid before Parliament. It is clear that postponing for some time the demands on account of railways in progress is one of the best possible for such a purpose; and, accordingly, Her Majesty's Ministers have proposed in the other House of Parliament a measure which will, we hope, lead to the postponement for some time of the great outlay which should otherwise take place upon those railways. We have proposed to go as far as possible with a due regard to contracts already entered into, which Parliament would not be justified in setting aside. But my noble Friend opposite has complained a good deal that no opinion has been expressed on the part of Her Ma-

jesty's Government on the Act of 1844. Now, I must say that that assertion is hardly well deserved. My noble Friend near me did, undoubtedly, state to your Lordships that the causes of the commercial distress were not attributable to the Act of 1844; and my noble Friend opposite agreed in that opinion. He said distinctly that that was not the case; but he said that the operations of that Act had tended to increase the panic, and to prevent relief from being afforded as early as it might have been. Now, when we have been compelled to interfere with the operation of that Act, it would be impossible to say that we are prepared to maintain it to the fullest extent. But I am prepared to maintain that the Act of 1844 did not in any way tend to produce the commercial distress, or the consequences to which my noble Friend opposite has referred. My noble Friend said, that by sanctioning an interference with that Act, we have expressed an opinion against it: but I dissent entirely from such a conclusion. I know that it is an opinion entertained by many persons of the highest experience, and that the opinion was held by them in 1844 when the Act was passed, that whilst it is impossible and impracticable to define with precision sufficient for the requirements of an Act of Parliament what the currency should be; yet that when circumstances of an extraordinary nature should arise, as they might from time to time, they might be dealt with by the Executive Government. That opinion was entertained by many experienced persons in 1844, and to it many, I believe, still adhere. But in regard to the opinion that the ultimate adoption of a measure of interference implied that something of the same kind ought to have been done earlier, I must dissent entirely from the noble Lord opposite. On the contrary, I maintain that that measure should have been deferred to the last possible moment. No one laments more deeply than I do the extent to which the distress has gone. The calamities are almost unparalleled in amount, and of a most lamentable description. But I believe it is the opinion of those best acquainted with the commercial world, that the houses which have fallen, whether from imprudence or misfortune, or from whatever cause their failures have arisen, were houses which might have been certainly maintained by external assistance for some time longer, but whose continued maintenance could not have been effected; whilst, on the other hand, their further support for the short while they could have been kept up might have been productive of far greater mischief than their failure at the time they gave way. But when towards the end of October we received accounts that although up to that time the failures had not extended to solvent houses, yet, if something were not done to maintain credit, the consequences would be serious to houses that were perfectly solvent—that they were becoming unable to meet the demands upon them, the panic amongst merchants, bankers, and traders, being so great, that in order to maintain their credit as far as possible, they were hoarding up and keeping in their own possession all the money they could, and calling in all the debts due to them. Now the whole of our commercial system is based upon the assumption that there will not be a simultaneous demand of all engagements due, but that a fair amount of credit will be afforded; and, undoubtedly, the result of the measure we adopted goes far to prove the correctness of this statement. We were told that if there were an assurance, no matter on what terms money was to be had by persons who could give good security—that if there was an assurance that money could be had, the money hoarded in various quarters would be brought forward abundantly, and that thus the pressure would be at once mitigated. We believed this opinion to be well founded; we acted upon it; and the result proved that we had not been deceived. My noble Friend says that this is a question which we ought not to turn loose upon a Committee of this House, or upon Committees of both Houses of Parliament; and that we ought to have made some definite proposal in respect to the Act of 1844. Now, if we believed that any possible alteration of that Act could have any perceptible effect upon the existing commercial distress, I should entirely concur with my noble Friend opposite. But we think the very reverse. We think that Act may require alteration in some points, but that the main principles of it are correct, and that to teach the commercial classes of this country to look for relief to what is called relaxation of the currency would be most dangerous. We do not mean to say that the Act of 1844 is not capable of improvement in many parts. We know that there are various points in which persons of conflicting opinions contend that improvements may be made.

One set of persons contend for some authority being entrusted by law to the Executive Government to make such alterations as they may deem necessary in special emergencies, such, for instance, as we have lately seen. Others contend that the Act of 1844 does not carry to its legitimate conclusion the principles on which it was founded; and that too much power has been left to a corporate body—the Directors of the Bank of England—and that the Directors of that institution represent the interests of the Bank rather than those of the public. We thus find views put forward by well-informed persons almost in perfect opposition to each other; and it appears to me that, under such circumstances, it is only fitting that Parliament should appoint Committees for the purpose of considering those various propositions. My noble Friend opposite (Lord Stanley) has intimated an opinion that commercial distress has not yet passed by. I wish I could say I differed from him. But I feel bound to admit that many of the causes which contributed to bring about the late distress are still in operation, and that we have still to look to a further period of depression. But there is nothing in the present state of the country which ought to discourage us—nothing to cause us to fear but that—it may be at an earlier or it may be at a more distant period—shortly this country will emerge from all its difficulties, and rise to a prosperity still greater than before. The causes of the present distress have been already so fully stated, that I will not again go into them. But I will remark that, in addition to the drain upon the resources of the country for the importation of foreign corn, every class in the community, from the highest to the least, has felt the pressure upon its expenditure from the high prices of provisions during the past year or so. The price of home-grown corn during the past year has been almost unprecedentedly high, having risen to 80*s.*, 100*s.*, and even for some time having touched the enormous price of 120*s.* a quarter. My Lords, when we consider what must have been the effect of these high prices on the expenditure of every family, especially in the families of the middle and working classes of this country; when we consider the enormous drain on the resources of the country, when added to the large demands paid on account of railways and other sources of expenditure—certainly we cannot be surprised at the extent of the difficulties we have experienced. But, my Lords, we have just had a good harvest — a bountiful harvest; and if, by the blessing of Providence, we should be favoured with a recurrence of such a plentiful season, that greatest of all drains upon the resources of the country will be at an end. Then, with respect to the railways—undoubtedly, at a moment when a great drain of money from this country was caused by the importation of foreign corn, the amount of capital absorbed in the construction of railways could not fail to produce great temporary inconvenience; still, it must be admitted that these great works of improvement, when completed, will add immensely to the national wealth. Many of these undertakings are beginning to produce wealth, and their benefits will speedily be realised. The pressure made by the efforts on the part of the trading community and others to meet the demand on account of railways, has undoubtedly been very inconvenient. But when I look at the energy and industry of the country — when I take into account the improved prospects of the cotton trade, arising from a cheaper and more plentiful supply of the raw material — I have no reason for doubting that, at no far distant day, this country will again attain her accustomed prosperity. Before I sit down, I cannot help referring to what fell from my noble Friend opposite, at the end of his speech. My noble Friend, referring to what had been stated by him on the first night of the Session, reiterated the opinion that the experience of last year, and the wide-spread distress which unfortunately existed—universally attributed, in the main, to the large importations—went far to corroborate the arguments of those who opposed any alteration in the corn laws. I entertain an opinion exactly the reverse of that stated by my noble Friend. I can hardly conceive a combination of circumstances more powerfully corroborative of all the arguments produced by those who were in favour of a free importation of foreign corn. In the first place, it was of the utmost importance that we should have those importations of grain. If we had not secured these supplies of corn, what would have been the sufferings of the people? In spite of the immense arrivals of grain and flour, no later than the months of June and July in the present year, the prices were so high, and the sufferings of the population of Ireland and of this country had arrived at a height which it was fear-

ful to contemplate; and what prevented these sufferings proceeding to the extent of starvation? The supplies of foreign corn. Parliament had given unlimited liberty to importations, and British merchants ventured to send to the most distant markets; while, under the old corn law the merchants necessarily confined their operations to the continent of Europe; they went no further for their supplies of grain. The effect of the sliding-scale was such as to prevent any prudent man from proceeding to a distant market; his cargo, when it arrived at Liverpool or London, might be met by low prices and high duties. The sliding-scale was in fact an ingenious contrivance to impose a forfeit upon every merchant who ventured to order cargoes of corn from a distant port. It, however, happened that just at the period when we were on the verge of starvation, neighbouring countries on the continent of Europe were suffering under an equally heavy calamity. Instead of being exporters of corn, they were bidders against us in the market of the world for the small surplus that remained. Our merchants drew their cargoes from the Turkish dominions, from the United States of America, and from distant countries never before visited for such a purpose. But they would not have ventured to do this under the operation of the old sliding-scale. They would have known that a voyage to the Turkish dominions, or to the United States, was a work of time, and they would have declined making the experiment. I say it advisedly, that actual starvation would have been experienced by no small portion of the population. My noble Friend then went on to say that this enormous addition to our imports had not been attended by any increase of exports. It is perfectly true that our exports of manufactured articles have fallen off. But this is easily accounted for. It may be partially accounted for by the diversion of much of the capital of the country to the construction of railways; it may also be partially accounted for by the deficiency in the supply of cotton. But to those countries from whence the largest supplies of corn were received, there has been an increase of exports—an increase infinitely greater than had been anticipated. My noble Colleague the First Lord of the Treasury, the other night, in the House of Commons, quoted a document to prove this gratifying fact. His Lordship showed that the declared value of exports from the port of Liverpool alone to the United States had amounted, for the three quarters ending October, 1846, to 4,030,000*l.*; for the three quarters ending October, 1847, it amounted to 6,291,000*l.*, making an increase of British manufactured goods to that country from whence we received the greatest bulk of foreign corn of no less than 2,261,000*l.* in nine months. More than that, it is notorious that the effect of the increased demand for corn from America has increased the consumption of British goods in that country. This increased demand has taken place in a degree much greater than was ever anticipated. The fact is, that the farmers of America have been making large profits, and, like their friends and relatives on this side the Atlantic, they have increased their expenditure, and that in a great degree has led to the increased exportation of British manufactures. The same thing has taken place with respect to many other countries. I do not think it worth while to trouble your Lordships with an array of figures, more especially upon a point not exactly before us, or I could show that the same thing holds true with respect to the Turkish dominions, from which we obtained large supplies of corn, and to Brazil, in consequence of the increased importations of sugar. In short, the events of the past year confirmed, in the strongest manner, every argument advanced by the advocates of an alteration in the corn laws. There can be no doubt this extraordinary and unlooked-for increase of imports has caused a great demand for capital—a far greater demand than would be covered by our ordinary imports. Under the pressure of circumstances considerable sums of money have been exported from this country. I believe, however, that if you could ascertain the amount of foreign railway stock held by parties in this country, compared with the amount held by them in the previous year, you would find that this forms a considerable part in the large payments which had, of necessity, to be made. Formerly it was the general practice of the British merchant to be in advance with the foreign merchant; but now, I am afraid, that the foreign merchant is in advance with the British merchant. This naturally arises from the balance of trade being against us. It should also be borne in mind that a large part of our exports were necessarily affected by the distress which prevailed during the last year throughout the continent of Europe. The popula-

tion of many of the continental nations were as much affected by the scarcity as ourselves. It was utterly impossible, under such circumstances, that they could be large consumers of British manufactured goods. Germany, France, Belgium, and other countries were so situated—they could not consume their accustomed amount of British manufactures—it would be quite irrational to suppose they could have done so. But my noble Friend has rather tauntingly said, "If the corn speculations of the past year were inordinate, who is to blame but Her Majesty's Government?" Now, I am not prepared to say, that these corn speculations were inordinate. I very much doubt whether they were at all less than prudence required. In some individual instances I do not deny that heavy losses may have been incurred; but for the interest of the country I doubt whether the importations were at all in excess. Your Lordships will be pleased to remember that—thanks to an all-wise Providence—we had, some weeks before harvest, an unprecedented succession of fine weather. The harvest which during the spring it was thought would be late, proved to be early—earlier, indeed, than usual. Human foresight could not foresee such an occurrence; it would have been considered the height of folly to have relied upon such a result. Supposing the weather during last July had been wet, and the harvest, instead of being so early, had been a fortnight or three weeks later, and that the consumption of the country had depended upon the foreign supplies; does the noble Lord think there would have been one grain of corn to spare? I must own that I do not consider the speculations in corn to have been carried on to any inordinate or unwarrantable extent. There always was, and always will, when high prices exist, be instances of individual parties holding on too long, and consequently enduring great and ruinous losses. I do not deny that, for the public interest, it is desirable that a certain quantity of corn should be held on; by such means alone might we be preserved from the privations of scarcity. I do, however, deny that there is any ground of complaint against the late mercantile speculations in corn as inordinate. On the contrary, I am of opinion that the corn trade has been conducted with a degree of foresight not less remarkable than the enterprise, energy, and activity employed in it. It has been the only means, under Providence, of saving this country from the horrors of famine; it has proved the wisdom and justice of the policy pursued by Her Majesty's Government, which, in spite of the most urgent advices to the contrary, they steadily acted upon, left the supply of corn to the exertions of private traders, instead of sending fleets to America and elsewhere in order to import corn on Government account. The Government steadily refused to interfere with the corn trade, and the result of so refusing shows that they judged wisely. I say further—taking the noble Lord's version—that if the corn speculations of the past year were inordinate, which I deny, Her Majesty's Government did not encourage those speculations. We asked Parliament to suspend the Bill authorising the collection of duties on foreign corn—we asked Parliament to suspend the navigation laws. And if we were again placed in the same position, does his Lordship doubt — do any of your Lordships doubt—what would be our course of action? If we had hesitated for a moment —if we had failed to afford every facility for securing a full and speedy supply of corn—we should have been utterly unworthy of the places we now hold in Her Majesty's councils. Feeling that the present is a subject which will invite and require much discussion—one which will have to be much more fully considered—I will not trespass upon the attention of your Lordships further than to say, that, with my noble Friend, I think there do appear good and sufficient reasons for the appointment of this Committee.

Lord BROUGHAM alluded to the circumstance—he did not call it an unfortunate circumstance — of the noble Lord opposite (Earl Grey) having followed his noble Friend (Lord Stanley) and broached the vexed question of the corn laws during the present discussion; but he entreated his noble Friend near him (Lord Ashburton) not to be tempted into a reply. The question was sufficiently wide without that additional subject; and he felt quite sure that his noble Friend (Lord Stanley), who, almost unavoidably, began the discussion, having only just taken it up, would immediately see the necessity of again laying it down. For his own part, he had not the least objection to the subject of the corn laws—he was quite prepared to discuss it with his noble Friend (Lord Stanley) on any future day, and after due notice; but he rested quite satisfied with the argument of the noble Earl opposite (Earl Grey). He

entirely subscribed to that argument; and he considered that it completely confuted the statements of his noble Friend. Their Lordships might exclude the corn laws from the present discussion—his noble Friend (Lord Ashburton) kindly yielding to his advice; but their Lordships might rest satisfied that the whole question would, and must, of necessity, come before the Committee. The whole question, also, respecting the railway speculations, which, he did not say, had distracted, but had certainly absorbed, a great deal of the capital of the country, must also come before the Committee. He quite agreed with the noble Lord opposite, that very much of that speculation might be imputed to the imprudence of the people; but he thought that it might be also traced to a higher, a larger, a more important source—the imprudence, not of individuals, but of the Legislature. In the consideration of the subject, he thought it would be far better to look to the present, and provide for the future, rather than waste their time in an inquiry into the past, scanning the merits of measures or of men. Yet he could not help reflecting, that if there was any part of the Legislature whose consciences were free from blame as to the railway speculation, it was the noble and illustrious Duke (the Duke of Wellington) and the individual who then had the honour to address their Lordships, and for naming whom in conjunction with the noble Duke he perhaps owed an apology to the House. Ten years ago they gave that warning, which it would have been well for the nation to have taken. That warning was reckoned a prejudice—he called it an opinion—and if it was a prejudice he wished it had spread to a greater extent throughout the country. The noble Lord had referred to those things as constituting the cause of the present distress; but there was another, and no very unimportant cause, which his Lordship had not referred to—he alluded to the usury laws. The owners of land were placed by those laws in a position of peculiar hardship. They suffered by a partial repeal and a partial retention of the enactments relating to usury. And in addition to the difficulties which had been so well described by the noble Lord opposite, their Lordships must prepare themselves for agricultural distress, or, at least, landowners' embarrassments. Capital would become more difficult to procure every year; the rate of interest would rise in proportion as capital became scarce; the landowner alone would be unable to raise the rate of interest upon his incumbrances. He did not object to the appointment of the proposed Committee. He considered their Lordships' House was peculiarly calculated for inquiries of that character. With all deference to the other House, he thought this House better calculated for such inquiries than was the House of Commons. He thought, however, that it would be better for the inquiry to commence in the other House—their Lordships then not only had the benefit of the opinion of the other House, from its report, but they saw the evidence of the witnesses. Those witnesses were not examined on oath, and many things were taken which might not be considered strictly accurate by a court of law; but inquiries commenced and concluded in the other House formed so many guide-posts and helps; and when they came under the more deliberate consideration of their Lordships, while masses of evidence were frequently rejected, a better conclusion was arrived at in consequence of the previous inquiry. He would not inquire whether the panic was over or not; he would merely ask whether their Lordships had a prospect of peace and quietness during the sitting of the Committee. With his noble Friend (the Marquess of Lansdowne), he greatly feared that, during the course of the inquiry, a recurrence of the same calamity from which this country had been suffering might take place. Their Lordships would enter upon the inquiry in a state of constant alarm. They would be receiving evidence abounding with appeals to their feelings. They would be told that things were very awkward—that they were worse and worse—that ruin was staring every merchant in the face—and that their investigations might increase the peril. Upon these grounds he held that it would have been better had the inquiry before their Lordships been longer delayed. If, indeed, there existed any prospect of a speedy and practical result from the inquiry, all objections would be at an end; but no man could dream that such would be the case. In about a fortnight or three weeks, the recess would intervene. Was it at all likely that the inquiry could be completed before the recess? The inquiry would necessarily extend ever a long space of time. Did Her Majesty's Ministers think that the subject of the currency could be kept

from the Committee? It would be impossible to keep it out. A great number of persons thought that it was not the Bill of 1844 but the Bill of 1819 that had done the mischief. [A Noble Lord: Hear, hear!] There's an instance. And as soon as that subject was broached, away went all hopes of a speedy termination. A determined Member might succeed in dragging any subject forward in Committee, if that subject were not quite foreign to the inquiry; and he could not say that the Bill of 1819 any more than the Bill of 1844 was so absolutely foreign to the inquiry as to justify its discussion being shut out. The noble Lord concluded by stating his intention to vote for the appointment of the Committee, and reiterating his opinion that the inquiry would have been better prosecuted after the complete subsidence of the alarm in the commercial world. He wished he could differ from his noble Friend (Lord Stanley) as to the probability of increased pressure in the monetary world; he greatly feared that further disasters might be looked for in many quarters, and from the embarrassments both of the East Indies and the West.

The Duke of GRAFTON entirely agreed with the noble Lords who had spoken as to the policy of appointing a Committee. His Grace considered that the commercial distress arose from the want of a sufficient circulating medium—a want of money whereby to carry on the transactions of trade. He considered an extension of the currency would be the best remedy.

Lord ASHBURTON then rose, but was at first very indistinctly heard in the gallery. The noble Lord was understood to observe, in respect to the proposed Committee, that some parts of the case were too imminent to admit of waiting for a remedy until the close of an inquiry that promised to be of so long a duration. He was sensible that, under every circumstance, this Committee was proper; but whilst he said this, he must be understood as reserving to himself, or to any other noble Lord, full liberty to offer, at any time, should he think fit to do so, some proposition for a direct interference with that Act which had so much to do with the difficulties that had occurred. With regard to the question of the corn laws, no one had said that those laws were the cause of the present distress, though it could scarcely be doubted that the great importation of foreign corn that had taken place had much to do with it—by the drain of capital which it had of necessity caused. But the old corn law would have admitted corn just as freely as the present had done; and not much inference could be drawn, perhaps, from what had passed in regard to the general operation of the corn laws. But let him remind their Lordships of one little fact. One of the great objections that were brought against the old sliding-scale was the fluctuation of price; but they had had, under the new law, a greater fluctuation than had ever before been known—a fluctuation, indeed, from 40*s.* to 120*s.* Another of the objections to the old corn laws was that they encouraged gambling; but the gambling under the new law had been, he feared, far greater than ever had existed during the whole system of the sliding-scale. He should not, however, have touched upon this question on that occasion, had it not been so strongly pressed upon their Lordships' notice by the noble Earl (Earl Grey) who had lately addressed the House. But what was it that was said to have been the cause of the condition in which the country had found itself during the last twelve months? The noble Marquess (the Marquess of Lansdowne) appeared to throw the cause upon Providence, attributing it principally to the visitation of the famine. But that famine did not absorb that extent of capital which had been imagined. No doubt could exist that these great importations of corn did cause a very considerable quantity of specie to leave the country, and this greatly reduced the balance at the Bank; and, certainly, the Act of 1844 did aggravate every difficulty that occurred—indeed, made things difficulties which would not, perhaps, have been so but for the operation of that Act. One of the great difficulties in the case was the railways; but would it be said that Parliament had not been strongly warned on that subject? The noble Earl now the Governor-General of India (the Earl of Dalhousie) had been as strongly impressed with the difficulties of that question as he (Lord Ashburton) was himself. Those ventures had no doubt been, in many points of view, of service to the country; but they had been carried on with insufficient means. The main cause, then, was one which the Legislature, though often warned against permitting it to operate, had, nevertheless, allowed to take place. There was another question, too, which was much connected with what they

were discussing, and in regard to which the noble Earl (Earl Grey) was more responsible than any one else, but which was too large a subject to enter upon on that occasion—he meant the West India question. It was not true that the misfortunes which had overtaken and struck down the West India interests were to be attributed to the acting of Providence, over which man could exercise no control; a great portion of these misfortunes was to be attributed to legislation. Much stress had been laid upon over-trading as regarded those East India houses which had failed. Their Lordships, however, should bear in mind that these houses conducted their business exactly in the same way that they had been accustomed to do, at all events since he recollected; and although much of the business transacted was carried on on credit, still the parties would have been enabled to go on as they had been accustomed to do, but for the altered state of the money laws, which rendered it impossible for them to go on. Much loss of capital had no doubt been sustained during the present crisis; but it was not the loss of commercial capital alone which had to be deplored—the commercial character of the country had been injured from one part of the world to the other, and the name of a London merchant had become a by-word. With the view of showing the low estimate formed of English credit in a foreign mart, his Lordship read an extract of a letter dated the 6th of November, which stated that the accounts received of continued mercantile disasters in England, and the discredit thrown upon English paper in consequence, had almost suspended bill operations as regarded Great Britain. It was for their Lordships to consider how far this state of things was to be attributed to physical causes, or to causes arising out of past legislation as regarded the money laws. For his own part, he was decidedly of opinion that the monetary derangement was attributable to the restrictions placed upon banking operations by the Act of 1844. Take the case of France. That country suffered greatly from the loss of its crops as well as England; but the Bank of France, although possessed of not more than two millions sterling in its coffers, continued its usual banking accommodation at a reasonable rate of interest, while the Bank of England, with ten millions and a half of bullion in its coffers—in fact its stock never fell below 8,000,000*l.*—not only contracted its accommodation, nay, almost for a time suspended it, but charged an exorbitant rate of interest. The Bank of France, on the other hand, with its 2,000,000*l.*, made no alteration in its rate of discount, thus avoiding all disturbance to trade; and he believed that throughout the provinces no difficulty was felt in obtaining the usual amount of accommodation on the usual terms. He thought the Government were very blameable in having stipulated for a minimum rate of 8 per cent, as a condition of its authorising the chance of an infringement of the Bank Charter taking place. The effect was not confined to London, but extended to the country, causing local banks to charge equally high rates for accommodation to their customers. He would give an instance of the consequences as regarded individuals. A most respectable merchant in Birmingham informed him that, having a very valuable order to execute, he applied to his banker for the assistance he had been accustomed to receive under similar circumstances. The banker said, "Certainly; you are one of our customers, and we will give you what you need; but you know that the Bank of England is charging 8 per cent, and our charge must be in proportion." The merchant informed the banker that his profits would not afford such a charge—that he must decline the accommodation and the order too. In fact, it was impossible that tradesmen could bear up under such exorbitant and capricious charges as had prevailed, not only in London, but throughout England. If the Committee would take the opinion of the best-informed merchants—he did not mean persons—he would not speak in terms of any disrespect of those to whom he alluded, neither would he name them—who were possessed of great wealth and large capital, but who derived great advantage from a high rate of interest, the opinion he had expressed would be confirmed. He did not think that the real interest of that class of capitalists to which he had referred was promoted so much as the parties themselves were inclined to believe by the existing law; still the temptation was so great that they had no objection to the continuance of a law which was occasionally so advantageous to them as capitalists. He thought the Government ought to suspend the restrictive clauses of the Bank Charter, and then wait for the report of the Committee as regarded the modification to be permanently adopted. The sole object of any such restriction as that complained of

was to prevent the Bank from getting into the predicament of not being able to pay its notes in gold; and, in order to carry out this precaution, the establishment was divided into two departments. And what has been the result? Why, the Bank, with upwards of 8,000,000*l.* in its coffers, was at one time in the predicament of acting as though it possessed not more than 1,160,000*l.*, the amount of its reserve. The noble Lord then proceeded to observe that the Chancellor of the Exchequer was not quite correct in stating, as he had done in another place, that the Bank had continued to afford accommodation throughout the crisis. Such a statement was not quite consistent with the facts. As he (Lord Ashburton) had already remarked, the stock of bullion in the possession of the Bank was never below 8,000,000*l.*; and if reference was made to published documents, it would be found that that institution had gone on satisfactorily with a much less stock than 8,000,000*l.* In 1835, the average was 6,500,000*l.*; in 1836, 7,000,000*l.*; in 1837, not more than 6,000,000*l.*; in 1838, 9,000,000*l.*; in 1839, not more than 5,000,000*l.*; in 1840, 4,000,000*l.* In fact, previous to the existing restrictions, the Bank was able to give reasonable accommodation at a reasonable charge with a stock of gold not more than 5,000,000*l.* or 6,000,000*l.*; but with 8,000,000*l.* in its coffers, under the apprehension, not of being unable to redeem its notes, but of infringing on the terms of the charter, the Directors were obliged to act as though they possessed not more than 1,160,000*l.* He did not impute any blame to the Directors for entertaining such an apprehension. He objected, however, to their acting as stock-brokers. Such conduct was altogether new to that institution. By their operations the Directors were enabled to produce fluctuations in the stock market, and to take advantage of these fluctuations to make a profit. When the rate of discount was raised, stocks fell; and the Directors were able to produce such a result when they thought it would be advantageous. Such modes of "rigging" the Stock Exchange, he held to be highly objectionable in an institution like the Bank of England. The cast-iron rule which bound down the Bank in its issue of notes ought to be abrogated. A discretionary power ought to be given to the Directors, for it was well known that while an issue of twenty millions might be dangerous at one time, twenty-five millions might be perfectly safe at another. He held that the Act of 1844 had been decidedly condemned by the procedure of the Government itself in advising its suspension. In doing so, Ministers had admitted that circumstances might arise in which the restriction placed upon issues should be removed; and the result of the interference had been, as his noble Friend opposite truly said, completely successful. The moment the suspension was authorised, credit was restored, and had continued to operate since. As preliminary, therefore, to the inquiry by the Committee, he would earnestly advise that the suspension of the restrictive clauses should immediately take place.

The EARL of EGLINTON had no intention of entering into any inquiry as to whether the monetary difficulties were created by the corn laws, or free trade, or anything else. He wished to ask whether the inquiry would embrace the operation of the Bills of 1845 and 1846, which related to the Scotch banks? He asked this question, because in all the speeches which had been delivered, no mention was made of the Scotch banks. In another place it had been stated, that the final incident which caused the Government to authorise the suspension of the Bank of England Charter Act was an application which was made by the Scotch banks for assistance. Now, he felt perfectly convinced that the larger portion of the Scotch banks had not applied for relief; and indeed the general opinion was, that a very small part of them, he believed only two, had applied for any assistance whatever. He would only add, that if the Bill of 1845 had not passed, probably these applications would not have been made.

The MARQUESS of LANSDOWNE said, that according to the terms of the Motion no doubt the inquiry included the Scotch banks; but the Committee would exercise their own discretion as to what branches of the inquiry they should entertain.

LORD WHARNCLIFFE said, there was one point which had not at all been adverted to; and in reference to which he wished to put a question to the noble Marquess. The question was, on what footing the Legislature stood with regard to the Bank? In 1844 the existing charter was on the point of expiration, or had reached that period, when the Government, by giving notice to the Bank, had the power of examining its charter, and of proposing to Parliament to make a new arrange-

ment with that establishment. At present it appeared that one of the objects in view was to examine the constitution of the Bank, and ascertain whether it required any new regulations; and if they were to investigate the condition and constitution of the Bank, it was desirable that they should know on what footing the Legislature stood with respect to it. He wished, therefore, to ask, whether, supposing at this period that the result of the investigation should be, that it was thought desirable to alter the constitution of the Bank, or to withdraw any powers which it now possessed, Parliament would find itself in a position to make those alterations, or whether the Bank had given to the Government an express assurance of acquiescence on its part, so as to make the inquiry a really practical one. He would not on that occasion, and in the present state of the House, enter into the general question which had been discussed; but he could not sit down without saying that, in spite of all he had heard, and in spite of the arguments of his noble Friend near him (Lord Ashburton), he still felt disposed to give his confidence to the principle of the Bill of 1844—and to give credit to Her Majesty's Government for the course which they had pursued. He certainly thought that the moment at which they had interfered with their advice to the Bank was well chosen; and the very restriction which they imposed on the power given, and with which his noble Friend found so much fault, was a safe and prudent one. The effect of that step was most fortunate; for it brought the country back into a state of commercial confidence, without any actual violation of the law. He was glad to hear from the Government their determination not to sanction any relaxation of the currency, for he believed that the principles on which the Act of 1844 was founded, were sound, even if any alteration in its details should be required; and that, if they adopted any relaxation of the currency, they would be led into a course beset with dangers and difficulties of a more serious kind than any which they had yet encountered.

In reply to a question from Lord ASHBURTON,

The Marquess of LANSDOWNE said, that not only was no instruction to be given to the Committee to the effect that the general monetary system of the country should be investigated; but he considered the Committee appointed with a perfect understanding that the general question should not be even an admissible branch of the inquiry. In answer to the question of the noble Lord, he could state that at present certainly the charter of the Bank could not be altered without the consent of the Bank; but he had also the satisfaction of adding that, as this matter had been very much discussed at the Bank, the Government had received an expression on the part of the Bank of their readiness—not to acquiesce in any measure which Parliament might choose to adopt—but to consult with the Government upon the subject, and to concur in such alterations as might seem desirable to both of them.

Lord STANLEY said, he hoped the noble Marquess would consent to an alteration in the terms of the Motion. He wished to substitute for the words "the recent commercial distress," the words used in Her Majesty's Speech, "the distress which has prevailed among the commercial classes."

The Marquess of LANSDOWNE said, that he had no objection to the alteration—they were both general terms.

Motion then agreed to.

House adjourned.

HOUSE OF COMMONS,

Thursday, December 2, 1847.

Minutes.] Petitions Presented. By Viscount Ebrington, from Plymouth, for Abolition of Freedom from Arrest.—By Mr. Tufnell, from Devonport, complaining of Want of Religious Instruction.—By Lord Brackley, from Blythemarsh (Stafford), against the Grant to Maynooth College.—By Mr. G. Hamilton, from Llanhenoch (Monmouth), against Legalising a Roman Ambassador, and the Admission of Jews into Parliament.—By Dr. Bowring, from Alphonse de Normandy, respecting the Use of Sulphate of Soda in the Manufacture of Soap.—By Mr. G. Craig, from Merchants of the City of Edinburgh, for Repeal of the Banks of Issue, and Banking (Scotland) Act.—By Mr. Hindley, from Ashton-under-Lyne, and Colonel Thompson, from York, against Coercion, and for Measures of Amelioration (Ireland).—By Mr. James Clay, from Members of the Hull Chamber of Commerce, for Inquiry respecting the Currency.—From James Walkinshaw, of the Isle of Wight, for the Production of certain Papers relative to the Manchester and Southampton Railway Bill (1846).—From Joseph Gibbs, Civil Engineer, of Portland-place, London, for the Production of Papers relating to the Northern and Southern Connecting Railway Bill (1846).—From Board of Guardians of the Hereford Union, against Union Settlement.—From William Frogatt Robson, of No. 10, Lancaster-place, Strand, for the Production of certain Documents relative to the Slave Trade (Gallinas).

TAXATION OF SUITORS.

Mr. ROMILLY moved for the appointment of a Select Committee—

"To inquire into and report to the House on the Taxation of Suitors in the Courts of Law and Equity by the collection of Fees, and the amount

thereof, and the mode of collection, and the appropriation of Fees in the Courts of Law and Equity, and in all inferior Courts, and in the Courts of Special and General Sessions in England and Wales, and in the Ecclesiastical Courts and Courts of Admiralty; and as to the Salaries and Fees received by the officers of those Courts, and whether any and what means could be adopted with a view of superintending and regulating the collection and appropriation thereof."

His object was not to inquire into the propriety of the amount of compensation given to any officers, but to ascertain whether the fees might not be better appropriated for the administration of justice. He considered that the fees ought to be put into one fund, and ought to be applied solely to purposes connected with the administration of justice, with a view to render that administration as cheap and economical as possible. Under the present system more than 100,000*l.* a year was paid over from the fees received in the courts of common law to the Consolidated Fund. In the county courts lately established the amount of fees far exceeded what was required for the salaries of the officers; and, therefore, the Government proposed that the salaries should be fixed, and that the fees should be carried over to a general fund. He hoped that the Government would take care that no portion of the fund arising from fees was carried to the general expenditure of the country, but that it was applied to the reduction of fees from suitors.

Sir G. GREY understood the object of the hon. and learned Gentleman's Motion was simply to reappoint a Committee with the same powers and objects as the Committee appointed last Session on the Motion of the hon. and learned Gentleman who lately represented Kinsale (Mr. Watson); and to such a Motion he was perfectly ready to assent. He might, however, say, with reference to the observations of the hon. Gentleman as to the county courts, that what he stated the other night was, that the Government were collecting information as to the amount of fees received in those courts, in order to see whether it might be possible and expedient, at an early period, to reduce the amount of those fees. His own impression was, that such a course would be possible.

Motion agreed to.

POOR LAW ADMINISTRATION ACT.

Mr. BANKES rose to move for leave to bring in a Bill to amend the Poor Law Administration Act, by reducing the amount of charge to which the public are liable under the existing provisions of that Act. He considered that the subject to which his Bill referred was one of no little importance, and he had felt it right to take the earliest opportunity of bringing the matter under the notice of the House. As many hon. Members had not occupied seats in that House during the last Parliament, and might not be acquainted with the transactions which led to the passing of the Act for amending the laws relating to the relief of the poor last Session, he might state that a Committee of Inquiry had sat for several months, and after a protracted inquiry they reported that, with regard to the existing Commissioners, on a review of the proceedings of those Commissioners, they were of opinion that such proceedings had been irregular and arbitrary—that they were not in accordance with the statutes under which the Commissioners exercised their functions—and that they were such as to shake public confidence in the administration of the law. He (Mr. Bankes) was not entitled to say that that was the ground upon which the Government brought in a Bill for altering the administration of the poor-law; but certainly it was the opinion entertained by a very large proportion of the hon. Members who supported that new enactment. A notice was given with a view to a further inquiry with respect to the conduct of the Commissioners; but it was from time to time postponed and ultimately abandoned because of the passing of the new Bill, which was to provide for a new administration of that branch of the law. That Bill passed last June. It occasioned considerable discussion; and he, in common with other hon. Members, considered that perhaps the course finally adopted was not the best, holding, with other objections, that an unnecessary expense was incurred, and that a greater number of paid officers was to be appointed than was necessary. The House however, adopted the Bill; but from that time to this, it had never been carried into effect. The Government was bound to explain these circumstances, which assumed rather an extraordinary complexion. The existing Commission had received the censure of a Parliamentary Committee—a censure carried by eight to four; and the Government had themselves admitted the expediency of an alteration in the administration of the law by introducing the new Bill themselves, although possibly it might be on other grounds than those which actuated the Andover Committee. And then,

what, too, had become of the old Commissioners? As he was informed, one of them being now a Member of the House, a second was otherwise provided for by being placed (it was said) in a high foreign appointment, and there remained but one; and, in the opinions of many lawyers, if not all, the old Commission could not now be carried into execution, because a board could not be formed. If the Government were prepared to say that they were satisfied with the services of the one Commissioner who remained, they ought to abandon the expensive system proposed by the measure of last Session. If one Commissioner were sufficient, why have a paid President in the House of Lords, a paid Secretary in this House, another paid Secretary out of it, and an unlimited number of clerks and inspectors, whose salaries were not yet fixed, for the Government had all along refused to state what was to be the amount, and required to have it left to their decision? If, considering subsequently the distressed state of the country, the Government felt that a cheaper system might be adopted with safety, and that they could place confidence in the one Commissioner who remained, let it be so—but then let that system be embodied in a Bill; let us not have a law which said we were to have all this expensive machinery, while in reality we were content with a much cheaper establishment. It seemed very unnecessary to have a paid President in the House of Lords, because the new board was to include some high officers of State who had really very little to do—the President of the Council, and Lord Privy Seal, for instance; and hon. Members who thought the addition of such a President unnecessary when we were a prosperous nation, might reasonably feel it improper now, when we were so much the reverse. He had no desire to detain the House needlessly from the adjourned debate: he only wished that the business to come on after the Motions was the Bill relating to Ireland. He trusted that the Government did not mean to follow the unhappy precedent set by the right hon. Baronet (Sir R. Peel), of mixing up a Coercion Bill with other business; it might lead to the like result as in the former instance. If it were so, and if the Bill should be postponed for weeks and weeks, he (Mr. Bankes) should follow the course he took before—doubt their sincerity, and vote against their Coercion Bill. The hon. and learned Gentleman concluded by moving for leave to bring in the Bill.

Lord J. RUSSELL thought that when the House should be informed of the general facts relating to the subject, they would see that there was no reason for taking the hasty step which the hon. and learned Gentleman proposed. There had been three Commissioners intrusted, since the Act passed, with the administration of the poor-law, and each of them received 2,000*l.* a year, making a total of 6,000*l.* What the Government proposed last Session, and which the hon. and learned Gentleman seemed to think such a great aggravation of the public burdens, was, that instead of those three Commissioners there should be one President, with a salary of 2,000*l.*, and two Secretaries with 1,500*l.*, making a total expense of 1,000*l.* a year less than the former establishment. With regard to the arrangements which had been under consideration for carrying into effect the new Act, of course it was not possible for him (Lord J. Russell) to detail the communications he had had with individuals, or to refer to the unwillingness any persons might have shown to undertake so very responsible and laborious offices as those under the new Commission. But the hon. and learned Gentleman was entirely mistaken in his statement that one Commissioner had been doing all the business of the department. The hon. Member for Herefordshire (Mr. G. C. Lewis), when he became a candidate for a seat in Parliament, resigned his seat at the board, as he had agreed to do; but there remained Mr. Nicholls and Sir E. Head, who continued to carry on the business of the Commission to the present time; but, though they might be willing to do so for a certain time, and to make an unusual exertion for that purpose, that was a state of things which it was not desirable to continue. He was happy to be able to say, that he had now nearly completed the necessary arrangements; and he trusted within a week or ten days they would be finally completed, and a President and two Secretaries appointed. With regard to the censure passed by a majority of the Andover Committee, he had stated formerly the reasons why he did not concur in that censure; and he supposed, as no hon. Member had ever ventured to ask the House to confirm the report of that Committee, or agree in the resolution, that it was generally considered that it was not acquiesced in by the House. With respect to another statement of the

hon. and learned Gentleman, he was entirely mistaken as to what he supposed would be the course of Government; the Bill for the better prevention of crime and outrage in certain parts of Ireland had not been delivered to Members until Wednesday morning, and it would have been unfair to push on the second reading on this day. Monday next had been fixed, in order that they might have time to consider the provisions of the Bill; but the Government had no intention of postponing any stage of that Bill. On the contrary, thinking it necessary for the preservation of peace and order in Ireland, the Government would proceed with it on Monday, and every day on which they should be allowed by the House. He presumed the hon. and learned Member would not persist in his Motion.

Mr. DISRAELI did not think the present was exactly the Government that should take the earliest opportunity of depreciating the labours of a Parliamentary Committee. The House could now form an idea what would be the course taken by the Government with respect to the Committee on the commercial distress, and the influence of the Bank Charter Act in bringing it about, if the report should be adverse to the opinion of the Government. It ought to be stated to the House that the hon. Gentleman who was the proper party to take such a step, seeing that he represented Andover, gave notice of a Motion to bring the subject of the decision of that Andover Committee before the House; and the noble Lord, however lightly he might now treat that decision, could not deny that upon that decision he virtually acted. After the report of that Committee was made, he came forward and immediately proposed a great revolution in the means of administering the Poor Law; and the hon. Member for Andover, and those who thought with him, might well be satisfied with the result which had been achieved, and think it unnecessary to pursue it further. But it so happened that, in consequence of the delay of the Government in fulfilling their intention, the same hon. Member last Session gave another notice, that if that delay should not be terminated he must appeal to the House; and his notice was for some time upon the Paper. Hon. Members who were new to the House would not sit there long without knowing how difficult it was for any one not in an official position to bring forward a question of this sort; and it was interfered with by the illness of the hon. Member for Andover, and afterwards by the impending dissolution of Parliament; but, on the one hand, the noble Lord did act upon the decision of the Committee, and on the other, the Members who voted in favour of it did not shrink from vindicating it. As an individual Member of the Committee, he might also express his own opinion, that after the inquiry before that Committee, and after the Government had acted upon their report, it really would have had rather an air of a vindictive character, than have led to any result to the advantage of the public, to pursue the subject any further.

Mr. FRENCH thought, that whatever cause of complaint the hon. and learned Member might have against the Government for not filling up the vacant places in England, Irish Members had greater cause of complaint that the offices in the poor-law department for Ireland were not filled by Irishmen acquainted with that country.

Sir G. GREY reminded the hon. Member that Mr. Twisleton's was not a new appointment; he had been for some years in office in Ireland executing the poor-law, and had acquired great knowledge and experience, and discharged his duties with great ability. Two other Members of the board in Dublin were the Chief Secretary and the Under-Secretary to the Lord Lieutenant, and both of them were residents in Ireland.

Captain PECHELL said, that the noble Lord, by not filling up the Commission, had shown that the censure of the Committee on the Andover union on the poor-law was justified and appreciated by the country. What did these Commissioners say when asked, "Did you ever visit the board of guardians?" They said it was not possible to leave their boards to visit the boards of guardians, to examine into these unions, and see if the assistant commissioners did did their duty. If the business had been conducted during the last three months by only one Poor Law Commissioner, it showed that the Andover union report was founded upon good evidence. He was astonished that the noble Lord should casst a censure on the late hon. Member for Andover, who had devoted himself to the cause, and whose state of health was brought on entirely by his labour in the Committee. The hon. Member for Dorsetshire had placed the case in a fair position, and so had the hon. Member for Buckingham-

shire; and the House was very much indebted to the former hon. Member for having started this question. It was now known that three Poor Law Commissioners declared it was not possible to attend the boards of guardians without leaving the work undone at Somerset House, which they considered far more important than going to look after these boards of guardians. He should support the Motion of the hon. Member for Dorsetshire, believing that they should obtain certain good by this discussion.

Mr. BANKES presumed that the Government did not object to his second Motion. He would wait to see what they did, whether they took any further proceedings after the recess.

Motion withdrawn.

IRISH ESTATES IN CHANCERY.

Mr. B. OSBORNE rose to move—

"That there be laid before this House, a Return from the Registrar's Office of the Court of Chancery in Ireland, of the number of causes, description of property, rental of estates, arrears of rent, when receiver was appointed, and when receiver last accounted; gross amount of costs paid by receiver since his appointment, as allowed in his account, in each county in Ireland, during the years 1844, 1845, and 1846, and up to 1st December 1847; together with a statement of the amount expended on improvements during the same years, since such properties came under the management of a receiver:—Also, a Copy of any General Rules or Instructions given since 1843, for the guidance of receivers in reference to allowances for improvements, or the management of estates, or the letting of lands, by the Lord Chancellor or Master:—And, a similar Return from the Chief Remembrancer's Office, in reference to estates under the Court of Exchequer in Ireland."

The CHANCELLOR of the EXCHEQUER thought that was not quite in the same shape as the return in Lord Devon's report, and, if so, he should not like to agree to it. Perhaps the hon. Member would either alter the Motion accordingly, or withdraw it and prepare a new one?

Mr. B. OSBORNE must press for the account of money laid out in improvements, and also for a copy of the general instructions given on that subject. He considered that the abuses in the Irish Court of Chancery with regard to the management of property under receivers were fraught with the most serious consequences.

The CHANCELLOR of the EXCHEQUER did not know that he should object to the return, but the hon. Member had now introduced fresh words beyond his notice, and asked for "a copy of any general rules or instructions given since 1843 for the guidance of receivers in reference to allowances," and so forth. It was not quite fair to move this as an unopposed return, without notice.

Mr. B. OSBORNE: I gave notice a week ago.

Mr. G. A. HAMILTON recommended the hon. Member to postpone the Motion at present.

Mr. GUINNESS trusted his hon. Friend would not withdraw his Motion, because there was no subject whatsoever which could come under the consideration of the House of so much consequence as that to which the hon. Member for Middlesex had adverted. He was one of that unfortunate class called receivers under the Court of Chancery in Ireland. He had for 25 years earned his bread as a receiver under that court; there was, therefore, no Gentleman in the House, perhaps, who had had the same opportunity of observing the working of the system, or of knowing the abuses that prevailed in it. Anxious as the House must be to ameliorate the condition of persons occupying property in Ireland, he felt it easy to convince the House that there was no class of property in that country which required their protection so much as that which was placed under the jurisdiction of the Court of Chancery. Such were the evils of the present system, that it was absolutely necessary either to remove the property altogether from the jurisdiction of that court, or greatly to enlarge the powers of the court in regard to its management. He would mention three cases that came within his own personal experience. He was the receiver of an estate in the counties of Cork and Tipperary, of a rental exceeding 2,000*l.* a year. That estate had been under his care twenty-one years; and in that twenty-one years not one single shilling had been expended to improve the condition of the tenantry. The second case was that of a property in the county of Mayo, the rental of which was 4,500*l.* That had been nine years under his care; and in the course of those nine years 168*l.* was all that had been expended to improve the estate. The third case was that of property producing a rental of 10,600*l.* It was principally situated in the county of Westmeath. Out of that property, which had been ten years under the jurisdiction of the Court of Chancery, he, as the servant of that court, and obeying its orders, had expended, during those ten years, for improvements, a sum not amounting to 600*l.* He humbly submitted to the House that these three cases, which were but a minor

part of the cases that came under his own knowledge, constituted good ground for the Motion of his hon. Friend, and for his hon. Friend bringing the subject under the consideration of the House. He trusted that when the House authorised a transfer of the management of the property of Ireland into the hands of the Court of Chancery, they would also oblige or enable the court to exercise not merely the rights of a landlord, but also his duties. He felt this subject strongly; and he trusted his hon. Friend would press his Motion. Not one hour was to be lost; because those very properties were universally throughout Ireland the seats of factious sedition and disorganisation. He would just point out to the House what were the effects of the expenditure, small as that expenditure was. Out of the estate returning 10,600*l.* a year, he had received, during the ten years, more than 100,000*l.*, upon which, as he had stated, only 600*l.* had been expended, and that during the last three years, being an expenditure of about 200*l.* a year. And what had been the consequence, even of that petty outlay? Why, in the year 1845 he received 1,000*l.* more than the year's rent, being 1,000*l.* on account of former arrears; in 1846 he received another 1,000*l.* over the year's rent; and in 1847, during all the distress which had pervaded the whole country, he received 600*l.* more than the year's rent. This he considered a most remarkable fact, and worthy the attention of the House.

Sir G. GREY had no intention of disputing the importance of the subject to which the Motion of the hon. Member for Middlesex referred. The statement which the hon. and learned Gentleman (Mr. Guinness) had just made, would have been sufficient to remove all doubt upon that point; but he thought the hon. Member for Middlesex laboured under some misapprehension as to what had fallen from the Chancellor of the Exchequer. His right hon. Friend did not object to the substance of the return; he only wished to have its precise terms placed before him, previously to its being agreed to. For this reason he (Sir G. Grey) would suggest that the Motion should for the present be withdrawn, and brought on again in an amended form.

Motion withdrawn.

COURT OF CRIMINAL APPEAL.

Mr. EWART rose to ask the Secretary of State for the Home Department whether it was the intention of Government to institute a court of criminal appeal, or adopt any similar remedial measures in cases where persons have been convicted and sentenced, and afterwards discovered to be innocent? A case had recently occurred where a young woman named Mary Ann Turford had been found guilty of stealing a watch, and sentenced to six months' imprisonment, and afterwards her innocence was clearly established, and another person was convicted on his own confession of the felony. A person of the name of Thomas Whalley was sentenced at the Stafford assizes to transportation for fifteen years, and after suffering eight months' imprisonment he was proved to be innocent, and was forthwith discharged. These and similar cases clearly showed that some tribunal of appeal ought to be instituted, where the suffering parties might obtain redress. The late Sir S. Romilly brought in a Bill upon the subject, and one of its provisions was to give compensation to the persons injured. That measure, however, did not become law. In civil cases there were courts of appeal. It was true that an error in the indictment might be made the subject of argument before the Judges; but where the evidence as to the offence was alone in question, there no appeal lay, and the verdict of the jury was conclusive. About twelve years ago he endeavoured to legislate upon this subject, but he did not meet with sufficient support to encourage him to proceed. Since then Sir Fitzroy Kelly brought in a Bill on the same subject; but circumstances prevented his going on with it, and he was now, unfortunately, not a Member of the House. In his opinion, no one could undertake the measure so satisfactorily as the Government; he, therefore, begged to ask the right hon. Gentleman whether the Government intended to introduce a Bill upon the subject?

Sir G. GREY did not consider it a very convenient mode to bring such an important subject forward in the shape of a question. Were he to enter upon its discussion, a very considerable portion of time would necessarily be occupied. With regard to all the cases mentioned by the hon. Gentleman, his opinion was, that if the measure of Sir Fitzroy Kelly had been passed, it would not have afforded a remedy in any of those cases more speedily than had been rendered by the system that was at present practised. The hon. Gentleman, however, very much underrated the difficulties attending the establishment of a criminal court of appeal. Sir Fitzroy Kelly brought in his Bill in the early part of the

Session of 1844; he afterwards became Solicitor General, and from that time up to the summer of 1847 he did not attempt to revive the measure. With regard to the case of Mary Ann Turford, who was convicted of stealing a watch, and sentenced to six months' imprisonment — if there had been a criminal court of appeal, the proceedings necessary to be taken before she could have obtained the benefit of that appeal, would have occupied nearly the whole period over which her term of imprisonment ran. But what was it that actually took place? The Recorder wrote to him (Sir G. Grey) stating that a man named Ward had been convicted of the very same offence, and that in his opinion Mary Ann Turford was innocent. On that very day an order for her discharge was issued. Now, it would have been impossible for so speedy a remedy to have been obtained from a criminal court of appeal. In the case of Thomas Whalley, who had been tried at the Stafford assizes, great negligence had been imputed to him. It was alleged that Whalley's was a clear case of innocence; and yet he had suffered eight months' imprisonment under an unjust sentence. What was the fact? He was convicted in March; and, for three months after, his case never came under his (Sir G. Grey's) notice. On the 11th of June a petition was addressed to him (Sir G. Grey), calling his attention to the case. It contained statements of a very important character, and numerous documents accompanied the petition. The usual course was taken in this case by the Home Office as in all others. He read the papers, and having received them on the 11th he returned them on the 16th to Mr. Serjeant Gaselee, who tried the prisoner. In taking this course he did that which had always been done by his predecessors in the same department; not relying simply on the statement on the part of the prisoner, the documents were first forwarded to the judge who presided at the trial, and who was therefore enabled to form a much more satisfactory opinion upon the case than any one else. A very considerable time elapsed before Mr. Serjeant Gaselee made his report. In August he was reminded of the circumstance, and in reply he stated that he had been requested by the prisoner's counsel to delay sending in his report, as further documents would be furnished. Until those documents were furnished, Mr. Serjeant Gaselee expressed his entire concurrence in the verdict of the jury. Other documents were, however, produced, and some evidence as to the previous character of the husband of the prosecutrix having been brought forward, he (Sir G. Grey) then felt it his duty to send the papers to one of the Barons of the Court of Exchequer, who had some cognisance of the case, and request his opinion. He (Sir G. Grey), at length, on the 9th of October, received from the learned Baron and from Mr. Serjeant Gaselee a report, in which they stated, that after a careful consideration of the case, they were satisfied that the verdict was an erroneous one, and that the prisoner ought to be discharged, and he was immediately discharged accordingly. Some remarks had been made with reference to the case of Charles Butler, who was discharged after undergoing a portion of his sentence. That person was discharged solely on a medical certificate stating that further confinement would endanger his life. He was convicted of what was supposed to be a criminal offence, but which turned out to be a civil one. With regard to affording compensation to persons under these circumstances, it was quite true that three persons were sent out to Van Diemen's Land under sentence of transportation for a crime which it was afterwards proved they did not commit, and that they were brought home free of expense, and had 10*l.* each given to them. As to the general question, he did not say that there were not cases in which such a court of appeal might exercise a useful jurisdiction. He could assure his hon. Friend that he should be very thankful to get rid of such a duty as his office now devolved upon him.

Subject at an end.

PAUPER LUNATIC ASYLUM.

Mr. DEERING asked of the Secretary of State for the Home Department, "whether it be his intention to enforce the discretionary power vested in him by the Act 7th and 8th of Victoria, c. 126, where an asylum for pauper lunatics shall not have been begun upon before August next in any county of England, the funds for defraying the expense of the same being forbidden by the same statute, as well as by the Act 9th and 10th of Victoria, c. 84, to be raised at a higher rate of interest than 5 per cent; or whether he means to reserve such exercise of his intervention until moved to do so through the medium of presentment by the local authorities?"

Sir G. GREY said, in answer to the hon. Gentleman, he had to state that the Act placed a discretionary power in the

hands of the Secretary of State to take measures for compelling justices to do their duty; and that when the Act came into operation he trusted he should be found exercising that discretion in such a manner as would be beneficial to the public.

COMMERCIAL DISTRESS—ADJOURNED DEBATE.

The Order of the Day for the Adjourned Debate upon Commercial Distress was then read, and the debate thereon resumed.

Mr. URQUHART: Sir, the unfortunate occasion of the premature assemblage of Parliament appears to me to have been very inadequately represented in the discussion which took place in this House on Tuesday evening. We have been assembled for the avowed purpose of granting a Bill of Indemnity to Ministers for infraction of the law; and we find them intent and engaged only for its defence. The Government proposed to us a Committee of Inquiry; by the proposal public alarm is to be allayed, and this system is to be upheld. Committees of Inquiry are proposed with the view of getting rid of an obnoxious law. The Chancellor of the Exchequer maintains the system, and proposes inquiry—to modify a defect in the parlour of the Bank. Upon this there is an Amendment, and the speech of the proposer is an argument that the currency laws have nothing to do with the present distress. Now, it appears to me that the question before us is one of far greater gravity as to its causes, its circumstances, and its effects. We have here to deal with a system carried out in a series of legislative measures which had their origin at the Peace. That system has had its advocates and its enemies. Each, while expounding their reasons for opposing or supporting it, have prophesied the consequences that it would bring. We are now arrived at a period when there remains no further necessity of investigating into the causes; for we have before us results so often repeated, that by them alone we can judge of the value of the one or of the other. These results have totally falsified the hopes and prognostications of its supporters, and have confirmed the fears and predictions of those who are opposed to it. Sir, it appears to me that the currency system is at once the most difficult and the most easy of questions; the most difficult when approached in one way—the most easy when approached in another; and the reason of the difference is this, that the difficulties that surround us are not natural, but artificial. In like manner, I believe that the remedy is either most difficult or most easy—most difficult when attempted by the enacting of laws, and most easy when attempted by their repeal. In fact, the distress of the country is the work of this House, and the only remedy is the abrogation of the laws that we have made. But it would now appear that these measures are most popular—that it is most agreeable to the House to defend them—and that to quote the present commercial distress, except as proving the efficiency of the system in averting, not producing, panics and catastrophes, is unseemly and improper. The question was, however, differently dealt with by the hon. Member for Huntingdon, who, though merely exposing the Chancellor of the Exchequer upon his commercial view of the case, declared, in a speech that redeemed the debate, that the country had already decided upon the Charter—that it had already sat in Committee upon the Bill, and thrown it out; he further announced his conviction of danger—not prospective, theoretic, or remote, but practical and inevitable—so long as this system was maintained; yet he himself had voted for this very Bill. I have different grounds; and I may in some degree relieve myself from the reproach of presumption in daring to touch upon this subject, by stating that at the time that this Charter was passed, I entertained respecting it the same opinion that I do now. When the right hon. Baronet introduced the Bill, he avowed it to be a measure which affected society to its very foundation. No subject, he said, of greater importance could be presented for the consideration of Parliament. How was the country to be affected? It was to be affected for good or for evil. He did not say that it would be for good; and in the nature of things it could not be so. Prosperity can be created by no laws, no more than health can be introduced by medicine. The only effect that could be produced by laws upon commerce was therefore necessarily bad, as the results have shown. The declaration of the introducer of the measure was bold, if ambiguous, and fairly challenged the Parliament and the country to investigate before they adopted a system of which each individual might be the victim. It required a case of clear advantage and of imperative necessity before such a measure could be adopted; and no such were shown by him, or sought by them. This system not only convulses our material condition; it abro-

gates the laws of our constitution; it treats with defiance the dictates of wisdom and philosophy, and leaves us in the midst of chaos. The power of this House consists in voting the supplies—what signifies our control over supplies when property can be cast down or raised up, and money transferred from one hand to another? What signifies our right to impose customs and other duties when the rate of interest can be swept up or down by an instrument over which we have no control, called the screw of the Bank? It has been admitted by the highest authorities that the emancipation of industry and the creation of the middle classes of society have in a great measure depended upon the progressive depreciation of coin through the influx of the precious metals from the mines of America. The tide has now turned—the precious metals are becoming more scarce, and therefore more dear; and this is the moment that we seize not to counteract this tendency, but to aggravate and increase it. The reduction of the rate of interest has been recognised by the most practical men, as well as by theorists, as the test and means of an improved condition of trade and of society. In proportion as that interest has been reduced, has value been given to all things except mere capital in money; in exact proportion to its reduction has risen the value of land, and the facilities of manufacture; and now in this so-called period of progress and civilisation we suddenly carry back the rate of interest to what it was two centuries ago. Again, in all admirably constituted Governments—in those great systems that have flourished for many ages—one undeviating rule has been to impose taxes so that they should fall upon large accumulations of property, to prevent those large additions to the power which wealth gives for its own further increase. We, reversing these maxims, and subverting our own constitution, not only spare wealth in taxation, but convert the public burdens into inexhaustible mines for the avarice of a few. And, in addition, you have an increased necessity of taxation, further to augment each of those causes out of which it has sprung. In regard to the most essential purposes of Government, there is a balance between the privilege of this House and the prerogative of the Crown. To the one is confided the control of the expenditure, to the other the making of peace and war; and the system which destroys the one, extinguishes the other. In what condition is one country in respect to others, which is at every moment upon the verge of internal bankruptcy and confusion, and the means of producing which in its own breast is, as I hope to be able to show before I sit down, placed by this system at the disposal of a foreign Power? Thus is it, as it was truly said by the proposer of this measure; and I refer not only to the Act of 1844, but to that of 1819—that it is one which deeply affects every member of the community, the Queen Victoria upon the Throne, to the humblest individual in his meanest occupations, and affects them for evil and not for good. I feel that I am, perhaps, unduly trespassing upon the indulgence of the House; but I am satisfied that this question cannot be approached except by an effort to place the system as such in contrast with other systems and with other times; and that therefore these preliminary matters are not less requisite than the minutest details. On Tuesday night we heard of every thing but the Bank Charter—circumstances, potatoes, human nature, all came in for their share. There was every reason but the reason—the Bill which had been introduced to render that which has happened impossible. The first cause assigned for this distress was the railways—by converting floating into fixed capital. What is a railway if not an association to spend money and employ labour? Where does the money go, but for sugar and for tea, for meat, for bread, and for beer? Is it not laid out in wood, in iron, as soon or nearly as soon as it is received; and the difference only is, that in the meantime you have created a fixed and real capital. There may be cases of injurious speculation and false investments; but still how could these be an absorption of capital or of money? And if there really were 160,000,000*l.* so spent, as was stated to us on the first evening of the Session, no more could it be brought in to account for the monetary crisis than if you were to assign as such cause the sums total of the butchers' and bakers' bills throughout the country. Besides, if railways had caused the distress, what would the argument avail? Who were those who most sedulously promoted railways? The next pretext is the drain for corn. What! a nation with 5,000,000,000*l.* of capital, and 500,000,000*l.* of yearly returns, convulsed and impoverished because 10,000,000*l.* have been paid out for value received? Be-

cause 10,000,000*l.*, or say 20,000,000*l.* go abroad, is property to the amount of some hundreds of millions to be sacrificed at home, and your whole fortune to be deteriorated 25 per cent? When, Sir, so preposterous a reason as this is urged, I do say it is a still greater public calamity than even the disasters which are thus accounted for. We who in our last war with half our present population, and with half our means of production, supported a yearly drain of above 100,000,000*l.*, are now in the midst of peace to be ruined by 20,000,000*l.* of produce purchased from abroad. We have an abundant harvest, we are in the midst of peace: what natural cause could have produced a panic that has only stopped short of bankruptcy? But if the proposition is absurd as an argument, the argument is dangerous to those by whom it is used. By whom is this argument used? By those very men who have hitherto told us that the relaxation of our duties upon grain would lead to a large export of our manufactures. Was not this that upon which they built their hopes? Was not this that which those who opposed them apprehended? I recollect the right hon. Baronet the Secretary for the Home Department, in the year 1838, anticipating the changes to be effected in the condition of the people of England, by the opening of our ports to foreign grain, pathetically describing the dismal tinkle of the factory bell superseding

"The breezy call of incense-breathing morn."

Rural life was to be utterly driven forth from the vales of once merry England by this enormous drain of traffic, and as land after land was open for the supply of grain, so would market after market be opened for the export of our goods. How is it then that this demand for foreign grain has not carried away British manufactures instead of Mexican gold? How is it, that instead of the occasion which was hoped for by the friend, or feared by the foe of free trade, we have results that justify neither? It is because you have a fixed price for gold. How was it that in war time, with the price of grain as high as the point it has attained to in the course of this year, namely, 120*s.*, we could manage to endure and even to prosper? For this reason, that you had then no fixed price of gold, and consequently you paid your 120*s.* with one-third less gold than you do now. Supposing that on the restoration of peace, you had not thought fit to break down the system that had carried you through the war; supposing that you had not thought fit to confide yourselves to the hands of a Currency Committee—if you had not trusted yourselves to the guidance of the right hon. Baronet—then would you have paid in the present emergency no more than you paid during the war, that is, one-third less. But what would have been the effect of paying less by one-third? Why, it is that you would have paid none at all. Had the gold which you exported been purchased here at 5*l.* instead of 3*l.* 17*s.* 10½*d.*, you would not have given to the foreign merchant a bonus upon gold, and you would not have placed for the British manufacturer an embargo upon his goods. This is the cause of that drain of gold—that drain of four or five millions—which by its reaction in some circuitous and incomprehensible manner has depreciated your whole fortune to one quarter of its amount. Another argument in support of the Amendment, which as far as I can see has no ways amended the original Motion, was the strange proposition, "that in this country the price of gold was not fixed." When I heard those words I thought that I must have been mistaken; but they were repeated and enforced. But great as was my astonishment at hearing such a proposition, how much greater was it to observe that it was cheered by the right hon. Baronet near me, and the noble Lord opposite (Lord J. Russell). I know not how I am to deal with such a proposition. The price of gold in this country not fixed! What was the Bill of 1819? What is your standard of value? Why, an Act of Parliament upon the subject! How was it that the money sent out during the war to pay for foreign grain should have been paid for at 5*l.*, and that to-day the same gold goes forth at 3*l.* 17*s.* 10½*d.*? The statement is not true. It is ludicrously false. But how can such a misstatement be made in the presence of this assembly, and at such a moment? How is it announced with the emphasis of a discovery, and assented to as an undoubted or an unquestionable truth? How is it cheered from the Treasury bench, and the Opposition one? The reason is that it was a sophism, with which not indeed to answer, but perhaps to puzzle those who might be surprised that free traders in grain were not free traders in gold. ["Hear, hear!"] I thank the hon. Gentleman for the observation, and the right hon. Baronet for the cheer. He objects, then, to a fixed

price of gold, and only supports the present system, because he has falsely reasoned from true premises. If it can be made to appear to him that the price of gold is really fixed, and that its being so fixed constitutes the whole system, then must he be opposed to that system; because it is opposed to his own principle. His principle is, that the price of gold shall not be fixed. Such is mine; either then let him show that the present system does not fix it, or let him abandon it. The hon. Gentleman has not given any proof that the price of gold was not fixed in this country: immediately afterwards he says that he is an advocate of convertibility. What do they mean by convertibility save the exchange of paper for gold at the Mint rate, instead of as during the war at the market price? But as his "no fixed price" is a mis-statement, so is his "convertibility" a phantom. The right hon. Baronet has said, that when the laws of Parliament controvert the laws of nature, the laws of nature will ultimately prevail. But still it is not without a struggle; and we are now undergoing that struggle both in our opinions and in our circumstances? Convertibility at a fixed rate is yours by law, but it is not so in fact. Your 5*l.* note is to be exchanged for five sovereigns; but you can carry that law into effect only when not more than a quarter of the community desires this exchange; should a third part ask for sovereigns you are ruined. This law of convertibility is only maintained by its own infraction; when the necessity comes, you either abrogate it, or you evade it, or you struggle through it at enormous sacrifices; and whenever it is brought into operation, you are placed in the alternative of being ruined or abandoning it; and then hon. Gentlemen say I am for the system of convertibility. ["Hear, hear!"] I consider the assertion, cheered as it has been, that there is no fixed standard for gold in this country as the most important feature of this debate; for it carries the question entirely away from all the matters of detail in which we have been absorbed, and under which it might have been buried—we are met by a direct denial. On a matter of fact the question is reduced to this—is there, or is there not, a fixed price of gold? In his celebrated speech of the 6th of May, 1844, the right hon. Baronet comments on "the absurdity of being charged with monstrous injustice and folly, when he ties down the Bank to issue gold at the low price of 3*l.* 17*s.* 10½*d.* per ounce." The author of the Bill has no hesitation in using the words, "price of gold;" and the object of his Bill of 1819—after that of 1816 had reduced us to a single metal—was to fix that price by law. Sir, I know no predicament in which I should less choose to stand, than in that of the free-traders; they have proclaimed a maxim of justice, a principle of policy, a condition for England of greatness, a remedy for her evils, a hope for her future prosperity. That principle, maxim, remedy, and hope, is one—the abrogation of restriction on the material articles of commerce. They have not one maxim, or principle, or word, with respect to restrictions upon that which is the representative of all articles of commerce—they will quarrel with a penny in the pound of cotton, they will resist a shilling on the quarter of wheat; but as for gold, the Bank, or the Bank Charter, may raise to double in one day, and reduce to one-half the next the price of all the cotton and all the grain in the country, and of everything else. On the other hand, I observe with extreme and equal surprise a body, if I may be pardoned the use of the word, called "Protectionists," holding to the last remnants of protection for grain, and entirely forgetting that there was a restriction, nay, proscription against them which they might have broken through at any hour; and giving up protection on grain, without stipulating for a relaxation which would have achieved for them much more than all the advantages which could possibly accrue from the restrictions which they were forced to abandon. They forget that when the restrictive measures were adjusted in 1819, there was a compact. The landlords were to be secured against the currency laws by the protection of agriculture. How was it that in the recent measure of free trade, they did not resume what they then gave up? How was it that they did not then say—Here we take our stand; if we cannot resist the abrogation of the laws that have protected agriculture, at all events we insist on having free that gold in which is measured the currency—in which alike manufactures and agriculture must adjust themselves? Thus has this question been carried by an absolute resignation on the one side of principle, and on the other of interest. It has been a matter of congratulation that this is no party question. Seeing the results, Sir, I deplore that it has not been so. Had it been a party question, the interests of the country might have found

support in the motives of this House; but as it was not a matter that interested any party, it became to this House a matter of indifference: the interest of the Stock Exchange prevailed; and the usurers having found means to gain the heads, secured both the parties. But while it has to be deplored that it was not a party consideration in its inception, it certainly is or may be fortunate that the ties of party are broken or loosened at the time of this discussion. The discussions in this House have been conducted hitherto with reference to the existence of a Ministry; but those who sit behind the Ministry know that in regard to this question their hold of power is endangered by no vote that may be given. On the other side there is no project or design, or purpose of unseating them; and, therefore, we have obtained a truce for the moment from the customary warfare; and hon. Members may leave their minds free to consider the case upon its merits, and their conscience at liberty to give their verdict accordingly. A significant expression fell from the right hon. Gentleman in reference to the banks of Scotland. The Scottish banks, he said, had to be supported. This statement was cheered. The object of the statement and the cheer was to throw discredit upon the banks of Scotland. It is no new thing to charge upon the victim his own wrong; but never before has a Chancellor of the Exchequer come down to this House, as on this occasion, to speak disparagingly of houses that had failed, or to treat in so harsh and cruel a manner the gentlemen connected with the houses that have suffered in England and the metropolis, several of whom have been Directors of the Bank, and have passed the chair. But why were the banks of Scotland sneered at? The banks of Scotland were sneered at, because they stood an irrefragable argument against the whole banking system of the right hon. Baronet. The banks of Scotland present to you an admirable condition of commerce without those laws. They have shown to you the facility of carrying on banking when subjected to the ordinary rules of commerce; they have shown to you banks in their real and essential character, namely, establishments where large capital could be deposited, thence to be distributed in small portions to spread activity throughout the country. They show you that one pound notes are not dangerous to prosperity; they show you a country prospering under the system that you have denounced, and are using every means to put down. I will venture to refer to my own former opinions upon this subject. I do so in order that what I say may not appear to be the result of evils that I have not foreseen. Before the right hon. Baronet attacked the Scottish banks, I had, as far as in me lay, warned the people of Scotland against such a design. The announcement of the right hon. Baronet's intentions in 1844 aroused fear and alarm throughout the whole of Scotland; the people would not have their one pound notes taken from them; and the resolution of that small portion of this large empire, and who have so weak a voice in this House, showing itself in a thousand ways, and coming forth from numberless channels, paralysed the operations of that powerful Minister; and his hand thus arrested, he promised in this House that he should delay legislation for Scotland till the ensuing year. I beg to quote the words of the right hon. Baronet: "Of Ireland or of Scotland I have hitherto made no mention. I propose to reserve for separate legislation the state of the currency in each of those parts of the United Kingdom." I ask the House whether this be not a pledge from the right hon. Baronet that he should not legislate for Scotland in the course of the year 1844? And if that be so, I ask what are we to think of this—that without a separate Bill, without a distinct measure, but in the Bill for the Bank Charter of England a word should be changed, insidiously introduced, which made that Act apply to Scotland? The people of Scotland were no more aware than the people of England that the Bank Charter of 1844 legislated for them; they relied with that generous confidence that has always marked the people of this country in its relations with the right hon. Baronet—they relied upon his word. Had they not relied upon his word, had they examined the Act, they would have ascertained that in the 10th Clause there is an enactment which regarded them. The 10th Clause I shall read:—

"And be it enacted, That from and after the passing of this Act, no person, other than a banker who, on the 6th day of May 1844, was lawfully issuing his own bank-notes, shall make or issue bank-notes in any part of the United Kingdom."

Here was the Scottish bank system stabbed in the dark. What I state is not known in Scotland to this day, and probably only to a few Members of this House.

Anticipating, however, the intention of the right hon. Baronet, I wrote these words, which I will venture to read to the House:—

"Be not deceived—your system is marked for destruction—it is so marked out because of its excellency. It cannot be suffered to co-exist with that of England—you can only save yourselves by rescuing England. The banking system of Scotland stands to that of England, as freedom to neighbouring slavery, which will destroy, if not destroyed: and which therefore inspires the despot with the double motive of lust and fear."

But without reference to the means by which the Scotch system has been impaired, the fact is there before us. There is the Charter of 1844, and the measure of 1845. When, then, the Chancellor of the Exchequer speaks of the Bank of Scotland being under the necessity of receiving accommodation, I answer, here is the best proof of the valuelessness of the one system, and the excellence of the other. When did the banks of Scotland ever require assistance before? It is because of the insidious Clause of 1844; it is because of your patent Act of 1845. Convertibility is the word upon which the matter is now brought to issue. We have passed a law to ensure convertibility. We had attempted it by former measures: these having failed, we made one more experiment in 1844. This too has failed. This crisis has come upon us as the result of a measure which would be infatuation as an argument, but which is terrible as a law. Your system amounts to this—you will use a small number of measures to meet an enormous amount of produce. Suppose that the farmer from a neighbourhood brought in grain, and that the people from the town came starving to obtain it; and that the Government passed a law that grain should not pass into the people's hands until it had been measured in certain standard pints and bushels that could suffice for a tenth only of the grain in the market; what would be the consequence? And if those measures had intrinsic value, and being of a precious metal, were taken away to be used up as metal—would not the people be left on the road-side to starve, and the grain on the other to rot? The Charter of 1844 was but a patching up of a measure that had already failed. In 1844, the right hon. Baronet, in introducing his new Bill, assigned this reason for its introduction, that it was to prevent fluctuation. He said—

"The object of the measure is to prevent, so far as legislation can prevent, the recurrence of those evils from which we suffered in 1825, 1836, and 1839. It is better to prevent the paroxysm than to excite it, and trust to desperate remedies for the means of recovery. I now commit these measures to the consideration and judgment of the House."

And he congratulated himself upon the great and glorious name he would obtain in future times, by the great benefit he should have conferred on the community, in preventing those alternations of value which excite undue prosperity at one time, and lead to drenching misery at another. Here is the promise; look at the performance. Confidence was given to the man—not assent to the measures. The measures no one understood. The measure, at least, you ought now to understand. Gold is now our idol. Nothing is of value to us but gold; we may have an abundance of grain, of timber, of wool, of cotton, of all that constitutes real wealth; and because you have not gold, none of these are of any value. It would seem as if man had been made for gold, and not gold for man; and gold proves amongst us more terrible than iron or steel. Well, then, when your gold has gone forth, you must call it back—and by what do you call it back? You call it back by what is called the screw of the Bank. What is that screw? The screw of the Bank is a metaphorical expression; but no metaphor is required. It is in this House that has been fabricated that screw; and that screw is nothing save the auctioneer's hammer. By it you have driven down the value of all your produce—the cotton that has come from America, or the tea from China, is selling in the city at less than its cost of production; by it these are exported again because of that reduction of price: and thus are the enormous resources of this country expended for the profit of strangers? England ought to be in possession of the greatest prosperity and the greatest power. There is nothing in her circumstances or in nature—there is nothing in our relations with foreign Powers—there is no diminution of the means of production, of our mines, our industry, our machinery; we are able to supply the world. We have got accumulated capital from our past gains, and if only left to the exercise of our own energies, we would at this moment be as much above the rest of the world in prosperity as we are above the rest of the world in the means of producing wealth. Sometime ago the French Government sent two gentlemen to this country to ask, "How a

country which possesses the means of commanding more of the precious metals than all the rest of the world, is periodically upon the verge of ruin by the want of a small surplus?" The question is easily answered. The law which makes gold exchangeable for paper at a fixed price, and the other law which makes so much paper be cancelled when you have parted with so much gold. These two regulations, so absurd that no one can admit them except by not comprehending them, have rendered you an enigma to yourselves and to the world. Thus have you made for yourselves a condition of misery in the midst of wealth, and now you have recourse to idleness to restore trade. Your means and resources are scattered to the four winds of heaven. And you lavish your means on the nations of the earth to place yourselves in entire dependence on their Governments? In the last crisis we turned in all directions for relief; we begged the Bank of France to come to our aid. She did so; she generously assisted us, and by her help we were enabled to escape. But what would have been our condition, supposing that this demand had come a year later, or supposing that, in 1839, circumstances had occurred to disturb the relations of the two countries; suppose that it had not been the interest of the French Government to support us; suppose it had been their object to embarrass us, would the Bank of France have advanced that money? Suppose now, again, that at that moment the French Government had had some end to gain in this country, would not the condition of the Stock Exchange have materially advanced it? Who can tell what conditions might have been exacted? who can tell what wrongs may have been submitted to, what dangers incurred? In fact, are not the Government and the country placed in dependence upon a foreign Bank and Government? In former times, England was the money market of the world—when loans were to be effected for Europe, Asia, and America, in London they were raised. It cannot but strike any man as an alarming sign of the times, as one which may well justify the prognostications of our decline that have been advanced by men of high philosophical and political standing in foreign countries, that we are now so changed and so dependent. How, Sir, did we redeem our obligation? When France came, in 1846, to ask the same favour at our hands, you could neither do her a favour, nor take advantage of her necessities. You could not (I leave the morality of the question, I speak of the fact) have made secret conditions with her Government, for ours had no more power to act than the Bank. Although you had sixteen millions of gold, you could not give a penny. She got a loan indeed; she got it from a Power that has been looked upon as barbarous, as weak, as ignorant, as one that would never be dangerous to Europe, because it was poor! The French Government, after appealing, in vain, to wealthy England, got what she wanted from poor Russia. Is not this a question which affects England in her most essential interest? And when we consider that the right hon. Baronet the Member for Tamworth has by the labour that he has expended on domestic concerns, rendered it, according to his own confession, impossible for him to attend to foreign ones, I ask, has he done himself justice? Has he not established a lever in the heart of England, the handle of which is placed within the reach of any foreign Power who can afford to purchase it. But, Sir, the danger is not merely with respect to France and Russia, or France and England reciprocally, as acting upon one another. We are ourselves indebted to Russia for a similar favour; we are ourselves placed in the same position with respect to the Russian Government as is the French Government. The Russian Government attains this result by a financial system introduced upon the advice of commercial men of this country—which advice we have neglected. The ukase of the Emperor I hold in my hand: it shows that they contemplate drawing the money out rapidly; it places the loss if any, upon the Imperial Treasury; 6,500,000*l.* are avowedly consecrated (and 20,000,000*l.* are in reserve) for acting in every possible manner upon the Stock Exchange of Europe. He has contracted ostensibly with the Bank of France—the Bank of England is now his agent. Sir, this currency system under which we stagger, supersedes the functions of this House by withdrawing from us the control over taxation; it supersedes the Sovereign of this realm in the exercise of the prerogative in respect to peace and war, which is the basis of the conduct of our foreign relations. A more grave subject never came before this House—one more minute in its application—one more gigantic in its nature—one which affects us not only in the disturbance of our circum-

stances, but in the very quality of our minds—one which leaves unpolluted no branch of public affairs—which disturbs the relations of society amongst the humblest peasants, as it does amongst the richest bankers of Lombard-street—one which lowers our station by the misery, degradation, and poverty of our people at home—which degrades us as a commercial people by the gambling habits introduced into trade—which endangers our existence as a nation, by the command over us which it places in the hands of foreign Powers. I therefore, Sir, would meet by a direct negative the Motion of the Chancellor of the Exchequer. This House have it this night in their own hands to emancipate England. I have no hesitation in saying that any measure short of the abrogation of the fixed standard will fail in its effects. I further say, that any step that we take, except a resolution to that effect, will only prolong this evil. You have had Committees enough—you had a Committee before you passed the Bill; that Committee, after long inquiry, could come to no conclusion—and are you better prepared now? You brought in your measure without a conclusion. Will you abrogate your measure without a conclusion? The absence of decision allowed you to let in a measure. Will not the absence of decision allow that measure to go on? By the appointment of a Committee you will merely shelve the question; you will lift the Government over its difficulties; the chapter of accidents will thus come to its aid, and, as usual, those inexhaustible resources of the British empire, to which the Chancellor of the Exchequer has referred for hope, will prove, as hitherto, a ready fund upon which legislative folly will draw. Our Sovereign is the Monarch of three kingdoms; we are assembled three nations in this place. I should like to know what interest my people has in the currency measure of the right hon. Baronet? I should like to know what interest the representatives of the kingdom of Ireland have in this measure? If this is a system which has brought mighty England upon her knees, is it not fit to prostrate or to keep Ireland in the dust? Ireland is without capital you say; has she not soil and arms? Ireland is not without capital; but you allow no other capital than gold. Ireland has an abundance of capital, almost equal to that of England; but this system paralyses, blights, and withers; and what is more clear than this, that England cannot go on with this system? How then is it possible that Ireland should? I appeal then to Irish Members—those who are divided upon almost every question of political import—whether it is not possible for them to come to concurrence for once upon a question of money? If there is no Scotch Member here that can be in doubt or hesitation as to the value of the system of the right hon. Baronet, why should an Irish Member be more in the dark? You do not require to support a Ministry—there is no ministerial crisis at stake—the life of the Ministry is safe—there is no parliamentary necessity to vote black white, or white black. If then there is no such party reason, surely there is every national necessity—take example from us. How have we in Scotland been marked as a people different in industry and character? Why, it has been by our banks. If the system of the right hon. Baronet had been forced on Scotland, it would have met with a resistance which I do not choose to characterise here, but which I know by my own feelings to be such as to equal any resolution that the mind of man is fit to form, or his body to achieve. Consider whether you may not, for yourselves, achieve to-night or to-morrow that same position which our past experience holds out to you as so desirable an end. By leaving what the free-trader ought not to shackle—what the protectionist wishes to set free—by leaving gold to find its own level—you may restore prosperity to yourselves, to us, and to England. I conclude by imploring you to condemn and abrogate these laws, which have introduced amongst us a providence the reverse of that of God—which have enacted by the blindness and the will of man this decree—that to him who hath much more shall be added, and from him who hath little shall be taken away even the little that he hath.

Mr. ELLICE said, that the constant interest he had taken in this most embarrassing subject, induced him to offer a few observations on the question then before the House, with a view to bring back the discussion within those practical limits to which it would be well for it to be confined. He thought it an extraordinary, and hitherto unaccountable fact, that in this great and powerful country, with means far exceeding those of any other nation, with mines, machinery, and all means of creating wealth, periodical convulsions had occurred, shaking the industry of the coun-

try to its centre, and consigning masses of men to ruin. If he could think that the remedy proposed by the hon. Gentleman was one that could release us from that continually-recurring distress, he should be more willing to enter into the arguments the hon. Gentleman had opened to the House; but he thought that at this day he might search in vain to find any considerable number of persons who would think that a remedy could be found for the difficulties under which the country suffered in a fluctuating standard. By what means were the transactions of this great country to be carried on? There must be some standard of value—some invariable measure, by which all transactions might be directed. If the hon. Gentleman had told them in what way he was to use his fluctuating standard, how it was to be made applicable to our condition—he should have been more willing to have followed the hon. Gentleman in his arguments; but he was sure they would lead the House very far from the question before it. But he did think, and he had always expressed that opinion in that House, that one of the most unfortunate determinations come to in this country—he would not question its justice, although he believed there was as much injustice as justice involved in it, after they had incurred enormous debts, and after the relations of debtor and creditor in all the fixed property of this country had been so entirely changed—was the resolution come to at the Peace that they should return to cash payments at the old standard. He thought at the time that resolution was taken that it was one which they would find great difficulty in accomplishing. He had not changed that opinion. When the right hon. Baronet the Member for Tamworth brought in his Bill in 1819—for his measure of 1819 was not to be saddled with the merits or demerits of that resolution—the right hon. Baronet found the currency of the country deranged. He was bound by a resolution, passed by the House at the termination of the war, and he proposed that measure of 1819 merely to carry into effect in good faith that which Parliament had determined upon. The right hon. Gentleman had stated his opinion to the House, that the burden to be imposed on the country by the return to cash payments, was to be estimated by the difference between 4*l.* 2*s.* the price of gold at the time, and 3*l.* 17*s.* 10*d.*, the old standard. He had moved an Amendment, to return at once to the old standard, instead of by the gradual steps proposed in the Bill, in order that he might be no party to the delusion thus practised, as he thought, on the public. That was his sole reason for interfering on that occasion, and not because he wished either a fluctuating standard or a return to the former system of inconvertible paper, the source of all the difficulties and evils from which we were now suffering. The question, however, of standard and currency had little to with the matter now before the House. The right hon. Baronet (Sir R. Peel) would admit that the Bill of 1819 having been carried, he (Mr. Ellice) had since done all in his power to maintain it in its integrity. The hon. Member for Birmingham (Mr. Muntz) behind him, exclaimed that they could not maintain it. That might be his (Mr. Ellice's) opinion also, seeing that during thirty years of peace, this main difficulty of eight hundred millions of debt had not been diminished; but until the very last emergency they were bound to maintain it. It was not unimportant, however, to refer to the former history of their monetary system. In 1815, at the close of the war, came the renewed resolution to return to old cash payments. The measures then taken led to the first crisis in 1816. Then followed a new flood of inconvertible paper, which depreciated the exchanges, and drained the Bank of the gold brought in by the previous contraction. This state of things continued till the correction applied by the Bill of 1819. Two years of the working of that Bill produced the next crisis of 1822. Everybody recollected the scene of that year. Lord Bexley, the Chancellor of the Exchequer, scarcely knew how to account for the distress of that period, but thought it might be remedied, to use his own expression, if he could place an additional sovereign in the pocket of every man in the country. For that purpose he borrowed and issued thirteen millions of additional notes from the Bank. Prosperity, as it was called, immediately followed. The South American mining mania was only one symptom of the general speculation pervading every branch of our trade. As Lord Bexley was at some loss to understand the distress in 1822, Lord Ripon, his successor, scarcely knew where to find terms in which to vaunt the flourishing condition of our resources in 1825. Before the end of that year, however, a change came over the vision of our dream. In the scene that

followed, some parallel might be found to the present time. The Bank, with thirty millions of paper in circulation, with scarcely a hundred thousand pounds of treasure in its coffers, was so near stopping payment, that the Governor sat watching the minutes of the clock, in the anxious hope that the usual hour of closing its daily payments might arrive before the last sovereign was exhausted. He would not follow the details of the subsequent crises in 1837 and 1839. They were less severe, but always characterised by the same difficulties and inconsistencies in the management of our currency. The right hon. Gentleman did not interfere till it was necessary, or till ample experience had proved the urgency of some control on the issuing of paper money on credit, both at the Bank of England, and the country banks, by his Bill of 1844. He (Mr. Ellice) supported that Bill. He did not suppose it would be as efficient as the right hon. Baronet expected, because he doubted the possibility of any sufficient control over a currency so mainly dependent on the fluctuating condition of public and private credit. And further experience had confirmed these apprehensions. He doubted whether they could long maintain the existing convertibility, and prevent these revulsions, without further restrictions. His right hon. Friend the Chancellor of the Exchequer, in the able speech with which he had introduced this subject, wished the House to be satisfied with the present state of things. The right hon. Gentleman could conceive no better security than the Bill of 1844, or no better footing on which to place our monetary system. Why, then, the late majority for abrogating its provisions? He (Mr. Ellice) agreed to the appointment of the Committee, as far as the connexion of our credit, money, and banking management, with the existing distress, was involved in the inquiry, for the especial reason, that examination should be made into the sufficiency or insufficiency of the Act of 1844 to effect the purposes for which it was intended—one main purpose, as insisted upon by the right hon. Baronet, on its introduction, being to check the alternate periods of excitement and depression from which we had suffered on previous occasions; but on no occasion so much as in the present case, during the period of its operation. We might take useful lessons on this question of a convertible currency, founded chiefly on credit, by comparing the operation of similar causes on the monetary condition of countries having wholly, or nearly so, a metallic currency. The wants of France and England for a large importation of corn to supply the deficiencies of the last harvest may have been nearly the same. The balance paid by both countries in specie beyond the exchange of other commodities, and the conversion of foreign funds or securities, might for the sake of the argument be taken as similar. In France, the money required for the payment of the balance was taken proportionately from each district and department in which the imported corn was consumed; and although the subtraction of so much from the general stock of money might have caused temporary pressure, it was only to the extent of the actual amount of money withdrawn, and produced no greater derangement. In England, on the other hand, the consequence had been very different. The whole money required was taken from the central depôt in the Bank of England, the sole basis of a circulation of three times its amount. The Bank necessarily took precautions, contracted its transactions and circulation—the country was infested with the alarm, and our whole system of credit was convulsed and paralysed. What remedy did his right hon. Friend the Chancellor of the Exchequer suppose the Act of 1844 would provide against the recurrence of this difficulty? He had made a very able defence of the policy of the Government to avert the panic on the late occasion. So far from finding fault with it, his (Mr. Ellice's) only complaint with their interference was, that it was not adopted at an earlier period, and that wider measures of relief had not been considered. When he said this, he knew his right hon. Friend could neither add to the money or the capital of the country; but when these panics, the result of an overstrained system of credit, for which our traders were not alone to blame, were clearly foreseen, it was wise to anticipate their effects, and to take measures to palliate and mitigate them. Neither money nor capital were so much required as confidence. It was unnecessary to explain to his right hon. Friend that the restoration of confidence, or even the mitigation of alarm and apprehension, produced capital and money which he could not otherwise supply. The present was a peculiar case. Beyond the drain for corn, they had been oppressed with an enormous demand of capital for railroads. He concurred in the view taken by his right hon. Friend

of that part of the subject. He (Mr. Ellice) had long foreseen the consequence of this drain on the productive interests of the country. But, again, the railroad mania was only a symptom of the general spirit and spread of speculation, engendered by an exaggerated system of credit, similar to that of the South American mining transactions in 1823 and 1824, and the North American transactions in 1837 and 1839. His right hon. Friend ascribed the mischief to over-speculation of the merchants who had failed. Similar cases, if not to an equal extent, at least to an extent proportional to the prevailing pressure, had always occurred. The banks went in 1825—the merchants now. Those always became the first victims to the storm who had spread most canvass to the gale; but did his right hon. Friend think that the houses which had been compelled to suspend their payments were the only sufferers? It was said no merchant at Newcastle or Hull had failed. They might have been more watchful and prudent men, but the loss from depreciation of goods and securities had been fearful and universal, and had fallen with the greatest severity on the most solvent. He spoke feelingly on these subjects, from old associations. To return to one cause of their difficulties, the railroads. On this subject he begged the right hon. Member for York (Mr. Hudson) would not misunderstand him. So far from being an enemy or opponent of railroads, he knew no men to whom the country was more indebted than to the able and energetic men who had engaged in and managed these undertakings; or no discovery or modern improvement likely to confer so many important and lasting advantages on the country. All he had in vain endeavoured to impress on directors, and on the last and the present Government, was caution and prudence, in not attempting too much at once, and in imposing some restrictions on a competition which threatened—and which had, at last, been permitted to produce—a large share in our present embarrassment. He had implored the last Government, as well as the present, only to take the precaution of limiting the powers of issuing debentures and paying interest out of capital granted without scruple or hesitation to everybody who applied for them. The right hon. Gentleman (Sir Robert Peel) was especially responsible for setting the example in this respect—rather an inconsistent policy to that of his Bill of 1844. It was impossible to conceive a policy more calculated to defeat the success of that Bill. However, it was too late to look back to the past, except for wisdom with respect to the future. There was at all events the consolation that the money expended in these undertakings was not thrown away, as in the previous cases of South American mines and North American adventures and loans. There were other important considerations connected with this subject on which he would trouble the House with some observations. These were the connexion of the Bank with the Government, the state of provincial banks, and the general condition of our finances. His right hon. Friend had ascribed a large share of the earlier derangement to the indiscretion of the Bank Directors—their over-issues at one time, their sudden contractions at another, and a general misunderstanding and neglect of the provisions of the Act of 1844. That might or might not be so. But what did that prove? The Bank Directors had infringed none of the provisions of the law. His right hon. Friend had been in constant and weekly—almost daily—communication with them. He might have advised them to avoid the error of which he now accused them. But according to his (Mr. Ellice's) opinion, neither the Bank nor the right hon. Gentleman were to blame. It was the system, and the inefficiency of the Act of 1844 to accomplish any of the objects for which it was intended. It was the same thing on former occasions. The Bank had always been to blame. It would be so to the end of the chapter, unless the Committee to be appointed could devise a better system to check the anomalies and inconsistencies of our administration of the currency. The Committee would do well especially to inquire what effects resulted from a perpetual appeal from the Government to the Bank for deficiency bills, and other accommodation; and how far the absorption of their whole capital by the Government rendered them less able to support trade on emergencies, in proportion to their nominal capital, than the smaller banking establishments in Scotland and England. There was also the internal management of the Bank, and their dealings in their new character of stock-jobbers. In former times the Bank did not deal in stock or Exchequer-bills: what they bought they held. Now, if he was to believe the representations in the public papers, they bought, and sold, and even borrowed on stock, like

other individuals. It was even said, that after having been consulted by the Chancellor of the Exchequer with reference to the last loan, and after the contract had been taken in circumstances of a somewhat precarious character, they threw a million of stock on the market, to the great injury of the gentlemen who took the loan. These things were probably not so ; but they were reported, and such reports had an injurious tendency on the character of the Directors. See what a power would be possessed by individuals sitting at the board, aware of the intentions of the Directors to buy and sell stock. He was certain from his knowledge of the Directors, that they never had and never would avail themselves of the knowledge; but it was important both to themselves and to the public, that they should not be open to such imputations. The inconsistent duties of the Directors were likewise to be considered. How could men satisfy both the appetite of stockholders for dividends, only to be maintained by making the most of their notes and deposits, and the expectations of the public, that they should regulate their dealings only with reference to the exchanges ? Their capital was fourteen millions; their rest between three and four; their loans to the Government, eleven; their permanent investment in unconvertible dead weight between seven and eight. These not very tangible investments absorbed more than their whole capital, and produced a rate of profit not much exceeding 3 per cent. How were they to make up the difference between that and the dividend paid to the proprietors, except by taking every safe opportunity of employing their notes and deposits ? And opportunities very safe, as far as their interest and security were alone concerned, might be very inconvenient with reference to a due regulation of their issues. It had been proved by experience, that the Bill of 1844 produced no influence, or supplied no correction on this important point. So far the Bank. Then consider our financial history and present condition. From the year 1819 to the present period, our Chancellors of the Exchequer had generally preceded and constantly outran our speculators in their reliance on and abuse of credit. Whenever it suited the convenience of their Exchequer, either to blow the bubble for the sake of a forcible reduction of the interest on portions of our debt, or to supply their deficit by means of deficiency bills, excesses in the issues of the Bank were their resource. He had already alluded to the first instance in 1822. He would not follow up the details of subsequent transactions. Turn to every page of their debates on successive budgets, and they would generally find the Chancellor of the Exchequer of the day taking credit on all opportunities for a fictitious prosperity, and encouraging speculation in times of an artificially excited state of trade, and of money dealing, instead of cautioning the public on the hollow foundation on which everything rested. In this way they had neglected funding their Exchequer-bills, when the stocks were nearly at par, looking to some happy occasion of reducing our 3 per cents. But it was said, Exchequer-bills were so convenient a security, that banks and bankers could not manage their concerns without them; and thus again the public were sacrificed to this connexion, which complicated our whole system. If Exchequer-bills were to be maintained in time of peace, at least it would seem expedient not to encourage the competition of railroad debentures to discredit them. These questions of finance were intimately connected with the present subject, but were conveniently kept out of the discussion. In which of the branches of his administration was his right hon. Friend the Chancellor of the Exchequer less embarrassed than the traders; with greater abundance of means and capital in proportion to his wants; or less dependent on credit, and the assistance of the Bank ? He had supplied his wants of last year by a loan, because it would have been inconvenient to have raised the money by taxation; but he had been obliged to pay heavily for the accommodation of prompt payment, in order that he might not incur the risk of adding to the pressure on the Bank, or of raising a question as to the means of facing his October dividends. The reaction in trade, the contraction of mercantile transactions, and the prostration of private credit, would now force money back to the Bank; and so far from there being difficulty of providing means for the January dividends, it might become difficult to find other means than public securities for the employment of the Bank deposits. But was his right hon. Friend so certain that no absorption of this money might take place between January and April, and that his wants at that time might not again drive him to have recourse to deficiency bills to pay his April dividends ? Was that eternal cause of disturbance in Bank

arrangements to go on without remedy? What were his right hon. Friend's prospects? he could scarcely ask him what were his intentions with respect to further financial arrangements. It was evident there would be a large deficiency. How was that to be supplied? By direct or indirect taxation? The free-traders were consistently demanding reductions in indirect taxation for the relief of manufacturing industry. The landed proprietor, waiting for more experience of the effects of free trade on his interests, after the disturbing consequences of the potato failure had passed away, objected to any alteration in the present proportion of direct and indirect taxation. Necessity would of course cut this knot, and, in fact, the difficulty arose more from a conflict of interests than from any inability of the country to bear fresh burdens. He (Mr. Ellice) always thought that we were the great nation in the civilised world, least taxed in proportion to our means. But his right hon. Friend must set his house in order, as he desired the merchants and traders to set theirs; and he would probably contribute more in this way than in any other to the restoration of general credit and confidence. We had been engaged for one quarter of a century in rearing a vast artificial system on the falsest principles of paper credit and protection. For another quarter of a century we had been maintaining it in a state of transition to better and wiser principles; and, notwithstanding the vicious expedients that had been resorted to, and the checks which our industry had experienced in these revulsions, the national means and prosperity had constantly increased. The whole system was now to be exposed to the trial of the experiment of the natural and sounder principles—a vast undertaking—the success of which depended mainly on a sound and healthy system of finance. That would be a better security against a recurrence of these evils than many others that had been brought into more prominent importance in the present debate. Among other subjects referred to by his right hon. Friend in his able speech, he had alluded to the pressure on the Bank of England by provincial, and especially by Scotch banks. Certainly there had been ample proof both now and formerly of the danger and inconvenience of ill-conducted establishments of this description. They aggravated the danger always arising from competition in our extensive system of dealing with deposits. But surely there were some means of controlling and correcting excesses in all cases of banks of issue. If publication of transactions was rightly required from the Bank of England as the condition of exceptional privileges granted to her, why not impose the same conditions on all banks to which the privilege of issuing notes was given? It was reported in the streets, that one Scotch bank applying for aid, had six or seven millions of liabilities, four or five millions of deposits, and scarcely money or convertible securities, without re-discounting bills, to pay its engagements for a couple of days. Suppose this bank had been obliged to publish monthly, or even quarterly, the amount of its liabilities, public and private securities, and money, could this state of things have arisen without producing a check from its depositors, and jealous neighbours? And in referring to this part of the subject, he wished to be understood as not casting the least imputation on Scotch banks generally. Their success, and the entire confidence which the more considerable ones justly enjoyed in the country, was the result rather of admirable management by judicious, able, and sagacious men, than of the principles on which they were established. They had, however, large capitals, and understood the value of credit too well to abuse it. These banks were in similar difficulties to that of the Bank of England, under recent circumstances. They had ample means of accommodation for all their dependants, although it suited their convenience, or possibly their sense of the necessity of some check to irregular transactions, to throw their indiscreet neighbours on us for assistance. The only other point he wished to revert to with reference to past transactions, was the letter of his right hon. Friend the Chancellor of the Exchequer to the Governor and Deputy Governor of the Bank. He had already said he approved of the interference of the Government, and only regretted it had not been at an earlier period. It was also essential that the interference should not be to an extent involving a reaction on the exchanges, or the least risk to the convertibility of bank notes. But he could not approve of the condition required by the letter of raising the rate of interest to 8 per cent. When he said that, he did not mean that the Government ought not to have cautioned the Bank in the use of the discretion and latitude that had been given to them, or that

they should not have imposed on the Directors the responsibility of not making money sufficiently cheap to create an unfavourable exchange, nor should he have complained of the Bank imposing their own rate of interest for their purposes; but he thought there was much ground for the grievance felt in the country, and more especially by the smaller traders, with the additional tax thrown upon them by money lenders under the justification of what was called the Government rate of interest. The landed proprietor felt his share of the grievance. It was true the infliction had not been general. In the manufacturing town which he represented, for instance, the banks had not raised the interest to their usual customers beyond 5 per cent; but these exceptions made other people feel the rule more heavily. The rate of 8 per cent could only be a temporary rate for a temporary purpose, and therefore it would have been better left to the discretion of the Bank. His right hon. Friend, in his animadversions on incautious speculators caught in the gale, had observed, that there was so much the less excuse for them, as every body had foreseen the coming storm. That might be true in some instances, with great merchants, bankers, and money dealers—although it was not quite true with respect to his right hon. Friend himself, judging from his transactions with regard to the loan: but what did the little trader, following his ordinary occupation, and accustomed to the usual accommodation of his banker, know of the causes and premonitory symptoms of these revulsions in the money market? Care ought to be taken to shield him as much as was consistent with safety from the pressure of them. The present state of things could not continue without the most ruinous consequences. [Lord J. RUSSELL: It is over.] His noble Friend was sanguine in the anticipation. [Lord J. RUSSELL: I said only the 8 per cent was over.] He (Mr. Ellice) was sorry he had misunderstood his noble Friend. He was aware the Bank had reduced the rate of interest, and that it was to be reduced to-day to 6 per cent. That was still too high a rate for the ordinary transactions of the country. If they could not sift the causes of these fits of fever and ague, these rapid changes in the relative value of money and commodities, and devise means of mitigating, if they could not altogether prevent, these sudden revulsions in the mercantile transactions of the country, they might seriously endanger the existence of the Government that laid the golden eggs. He had thorough confidence in the power and energy of the country, that it would pass through this trial, as it had passed through former ones, and that our losses and difficulties would be easily repaired. But we must relieve the springs of industry, and keep them free, by every effort in our power. He was the more inclined to doubt the soundness of the principle of a convertible paper currency, founded on a proportional basis of bullion in a central depôt, that basis liable to be acted upon in the violent manner of which they had so much experience in the rapid flow and ebb of coin in the Bank on so many occasions since 1819—both from the reasons he had before stated, and from the fact that extensive monetary revulsions during that period, and indeed in antecedent periods, had been confined to England and America, the only two countries in which the system had been established. In other countries, in Europe, in France, Germany, Holland, and Russia, there had been the usual alternations of trade, dependent principally on good and bad harvests, but in no instance characterised by the violent revulsions which had been felt in England. Of course he did not intend to compare the mercantile transactions of these countries with ours; but there was something peculiar in our relative monetary condition, which required careful reconsideration. He wished to be understood as throwing out these observations rather to suggest inquiry, than as proposing to ground any new theory on them, or more especially to propose any nostrum as a remedy. He saw all the difficulty of the dilemma. The country was much more disposed to adopt expedients for extending paper money, even at the risk of its convertibility, than prepared to resort to probably the only complete security—a paper currency—the actual representative of *marcs banco*. He admitted the advantages of our present system, both with respect to economy and facility. He only hoped the Committee might be able to devise better guarantees and securities than now existed against constant derangement. It was in the hope of such a result that he supported the proposition of his right hon. Friend. He (Mr. Ellice) regretted that he could not agree in his right hon. Friend's opinion that the present condition of our monetary and banking system, even with the check provided by the Bill of 1844, was either safe or satis-

factory. It could not be so, while any part of such difficulties as the present could be justly imputed to it; and the whole subject, including the other considerations connected with the present crisis, ought to undergo a most careful revision, with a view to efficient amendment of our existing legislation. Whether that should be applied to the connexion between the Government and the Bank of England; to the regulation of the dealings of the Bank in stock and Exchequer-bills, as distinguished from the great object of their establishment and exclusive privileges, the credit and support of the trade of the country; to further publicity of the transactions of provincial, and Scotch and Irish Banks, so as to bring public watchfulness and opinion to bear upon them, as upon the operations of the Bank of England, or to any more disinterested superintendence of the general management of our credit money, than that of the Directors of the Bank, he would not pretend to say. Much more light had been thrown on the whole subject by our recent unfortunate experience; and he hoped that might guide the deliberations of the Committee to some practical measures to prevent the recurrence of the monstrous evils under which the country was now labouring, and which the Bill of 1844 had been confessedly inefficient to counteract or to remedy.

Mr. NEWDEGATE cordially rejoiced at the very able speech which had just fallen from the right hon. Member for Coventry. It appeared to him that the right hon. Gentleman was only pursuing the consistent course which had ever marked his conduct on this subject. He had bowed to the decision of Parliament in favour of the Bill of 1819, after resisting that measure and the system founded upon it as long as he could; and he (Mr. Newdegate) believed that the right hon. Member would end by bowing it out. In the course of his speech the right hon. Gentleman had alluded to the conduct of the Directors in throwing a quantity of stock on the market almost immediately after the contraction of the loan of last year. The right hon. Gentleman said, that reports were prevalent that the Bank had, immediately after the loan was contracted, gone into the market to sell securities; and he severely censured the Directors for having done so. Now he (Mr. Newdegate) thought that, in dealing with this subject, we ought to be just to those who administered the affairs of the Bank, and to recollect that the Act of 1844 placed the Bank Directors in a position, in order to maintain which, they must sell securities. For the purpose of proving the truth of what he now stated, he would quote the evidence of Mr. S. J. Loyd. It applied to the state of the Bank in April, 1838. The evidence was given before the Bank Committee in July, 1840 :—

"Then, to the Bank, what difference does it make whether bullion was extracted by notes out in circulation, or by notes taken from within their walls by deposits?

"The difference appears to me to be this, if bullion is drawn out of the Bank by means of bank notes paid into the Bank, the simple duty of the Bank is to cancel the notes so paid in. If the bullion is drawn out of the Bank by the demands of depositors, the duty of the Bank is to sell securities against those demands, and to cancel the notes which she obtains by such sale of securities.

"Does it not, however, appear that 6,283,000*l.* of the deposits were equally active in extracting bullion to that amount, as any portion of the circulation which was applied to that purpose?

"There is no doubt of this fact, that whilst the union of banking and issue exists with regard to the Bank of England, she is in possession of a power which enables her to meet the demand of her depositors by a diminution of her bullion, unaccompanied by a corresponding contraction of her circulation. I can only say that when she does so, if it is to an extent beyond the amount of bullion which she holds as a reserve in her Banking Bill, she does so improperly; in consequence of the union of the two functions, an abuse in the management of the circulation takes place."

This was the prescription of the author of the Act of 1844, and the foundation of the present fictitious division of the departments of the Bank; and he need not refer to the debates on the introduction of the measure itself to prove that this prescription was enforced by the Act of 1844. He, therefore, trusted they would not throw undue blame on the Bank Directors, who had merely complied with the provisions of an enactment which had been forced upon them, for they were compelled to sell securities in order to support the Act of 1844 at a time of difficulty. The right hon. Gentleman the Chancellor of the Exchequer had alluded to the amount which had been expended in railways, and stated that for the year ending October 10, 1846, the expenditure amounted to 21,336,000*l.* [The Chancellor of the Exchequer: I said 26,000,000*l.* for the last half of 1846, and 25,000,000*l.* for the first half of 1847.] To which was to be added 33,000,000*l.* expenditure for corn, making in all about 70,000,000*l.*; but the

Chancellor of the Exchequer had not deducted the one-fifth from the expenditure on railways, although he subsequently admitted that proportion was not taken out of circulation, being merely a transfer of money from hand to hand in payment for the land taken and legal expenses incurred by railway companies. This would reduce the sum expended on railways and for corn to something more than 60,000,0000*l.*; but he (Mr. Newdegate) was prepared to dispute altogether the analogous effect upon the resources of the country, produced by the expenditure on railways and the payment for foreign corn. The expenditure of railways was purely domestic; the money so spent did not diminish the capital of the country, but was merely employed in labour, transferred through the hands of the manufacturers, the artisans, the labourers, and the shopkeepers of this country, back to the banks, and there remained. The expenditure in payment for foreign corn was totally different: that was a positive abstraction of money from this country; and he admitted that the pressure was produced by the payment of 33,000,000*l.* for that purpose, since it caused a grievous and inevitable abstraction of money and capital from this country. He did not mean to deny that this large expenditure upon railways and in the purchase of corn was a grievous strain upon the energies of this country; but what he denied was, that the expenditure upon railways was at all comparable in the amount of injury it inflicted, to the evils produced by other causes. Of the money invested in railways, far the greater part was employed in productive labour. The country was not by it deprived of capital. They did not bury their gold under the railways. Why, good God, Sir (said the hon. Gentleman), we might as well say, of the expense incurred in building this House—that the sovereigns would be found among the mortar, which went into the pockets of labourers, artisans, and manufacturers. In the whole statement of the right hon. Gentleman, there was, he thought, too much stress laid upon this expenditure, which, at the most, did not amount to more than 60,000,000*l.* in a year, half of that sum being for a purely domestic purpose, and caused no positive abstraction of capital. He could not help comparing this expenditure with that which occurred at the period of the war. Let it be borne in mind that the population at that time was one-third less than at present. The revenue then amounted to 72,000,000*l.*, from which deducting nearly 20 per cent for the depreciation in paper money which occurred during the last three years of the war, gave 57,500,000*l.* Then deduct 20 per cent from the average of the annual loan of 50,000,000*l.*, and they had 40,000,000*l.* in our money. The population then was 18,000,000; it was now 28,000,000. The trade and commerce were not half so great as it was now; and yet, with all these disadvantages, the country triumphed, and sprung up during the severest trials whilst at present she almost sunk under an expenditure of 60,000,000*l.*, nearly half of which was for purposes purely domestic, and caused no absolute abstraction of capital. Allusion had been made to the period of 1815 and 1816, and the financial embarrassments which had then occurred, by the right hon. Baronet the Member for Tamworth, in his speech on this subject last May; and he argued that these embarrassments occurred under the currency system existing previous to 1819. But was this a fair argument? That period was not marked by the continuance of the old system, but was the commencement of our present system; that was the period at which our free trade and restrictive monetary policy had, according to the right hon. Baronet the Member for Ripon, commenced. It was then that the trade of the world opened to us. By this change more than 200 banks were broken; and the banks which remained had contracted their issues by one half, according to the evidence of Mr. Loyd, senior, in order to prepare for the system of 1819. He did not mean to say that the condition of the country during the war was a sound one. He would not wish to see the country return to such a system; but when they compared this period with that, let them not attribute the failure of 1815 and 1816 to the mode of currency which had previously prevailed. Let them consider how far far free trade had relation to the present depression. He knew hon. Gentlemen opposite would say free trade had nothing to do with this crisis. Those Gentlemen said, "You bigoted Protectionists conceive all the evils of the country to arise from free trade, and you do not take into account the large railway expenditure, and the large sums sent abroad for the purchase of corn." He had never argued that the large importations of corn during the late scarcity were to be attributed to free trade, because under any system they must

have imported largely; but what he wished to call their attention to was the large exportation of bullion, and the evils which it produced. They supported the present free-trade system because they expected that, by the purchase of foreign corn, our manufacturers would advantageously dispose of their goods in exchange, so that, after all, the money would be kept at home. Those people said, the manufacturers of the United States would buy our goods; but he wished to see a calculation made, showing the proportion between the goods exported and the corn imported; and he would also like to know upon what terms the Americans had consented to make such purchase. Why, the fact was, those people had bought a certain, comparatively small, quantity of goods at a ruinously low price; and we could hardly congratulate ourselves upon selling at a loss, whilst they had taken a very great amount of our bullion. Our total exports were, in declared value, for the first nine months of 1845, 41,700,000*l.*; in 1846, 40,000,000*l.*; in 1847, 39,000,000*l.*; thus showing a falling off of more than 2,500,000*l.* between 1845 and 1847. Those figures had been quoted by the noble Lord at the head of the Government. But did they furnish a picture of the state of things at the present moment? No such thing; for the state of the exports within the last few months was even worse than previously:—

"As far as the transactions of the month are concerned, they exhibit a very unfavourable comparison with those of the corresponding month of last year, showing a reduction of upwards of 800,000*l.*, which arises chiefly on cotton manufactures and yarn, linen manufactures and yarn, and woollen manufactures. This reduction upon the export trade of the month has reduced the aggregate amount of the exports, during the nine months under review in the present year, somewhat below that of 1846, and considerably below that of 1845. The exports of the nine months ending the 10th of October thus compare with the two preceding years:—

"Declared Value of Exports of British and Irish Produce for the nine months ending 10th October 1845, 1846, and 1847:—

1845.	1846.	1847.
41,732,148*l.*	40,008,874*l.*	39,975,207*l.*"

For the last month, ending October the 10th, as compared with the similar periods in the two preceding years, the comparison is as follows:—

"Exports—September 5 to October 10:—

1845.	1846.	1847.
5,323,553*l.*	5,477,389*l.*	4,665,409*l.*"

Was not this clear evidence that the balance of trade not only was against England, but that it was become more so? He (Mr. Newdegate) would now say a few words with respect to imports. They had enormously increased, not solely in consequence of the necessity for the staple of life, corn, but the importation of articles of secondary necessity, which must be attributed to the operation of free-trade measures, had enormously increased. He alluded particularly to the articles of butter, cheese, cocoa, and coffee, of which the returns were as follows:—

	1845.	1846.	1847.
Butter, cwt.	189,056	177,165	243,140
Cheese, cwt.	183,891	216,191	243,601
Cocoa ... lb.	3,016,301	1,938,669	3,764,353
Coffee ... lb.	32,166,932	35,099,814	35,769,747

	Less in 1846 than 1845.	Increase in 1847 over 1845.
Butter, cwt.	11,891	53,984
Cheese, cwt.	32,300 incr.	59,710
Cocoa ... lb.	1,077,632	748,052
Coffee ... lb.	2,932,882 incr.	3,602,815

He would next allude to sugar and tea, of which the following were the returns:—

	1845.	1846.	1847.
Sugar, cwt.	4,413,969	4,469,772	6,510,693
Tea ... lb.	36,825,461	41,432,794	44,912,880

Now, the statement he had made with respect to these imports, referred to the quantities only; but he would give the value at the present current prices of the increase upon the two last articles:—

	Inc. of 1846 over 1845.	Inc. of 1847 over 1845.	
Sugar, cwt.	55,803	2,096,724	£4,193,448
Tea ... lb.	4,607,278	8,087,419	803,741
			£4,997,189

So that the value of these articles alone showed that we had expended nearly 5,000.000*l.* more upon them in the nine months ending October, 1847, than in the nine months ending October, 1845; but had we succeeded in increasing the importation of all articles alike? No; the decrease in some articles of luxury, such as wine, showed that it was in vain to calculate upon forming a taste for luxuries with a view to increased revenue, by the diminution of duty:—

	1845.	1846.	1847.
Wine, gallons...	5,839,679	5,410,863	5,599,322

	Decrease in 1846 to 1845	Decrease in 1847 to 1845.
Wine, gallons.....	428,816	240,347

In this case it was plain that, although the duty was decreased, they failed to increase the quantity imported, and, therefore, it was nothing more or less than a sacrifice

of revenue. So much for free trade. He did not wish to weary the House with details, but thought it best to state facts and figures. It appeared, then, that under this boasted free-trade system the sober reality was, that the exports had fallen off 1,500,000*l.* in the last nine months, as compared with 1845, and nearly 1,000,000*l.* within the last month; and would they, with such evidence before them, continue to support so restrictive a currency? The country was, he regretted to say, daily becoming worse in many respects; for thousands of men who had, up to this time, obtained employment upon railways, had been lately disbanded, and would be a burden upon the rates. But, then, how did our monetary system stand as regarded foreign States? The Russian Government, taking advantage of our depression, had sent to purchase stock, and expended 300,000*l.* or 400,000*l.* worth of bullion; but was not this rather a delicate affair? this was only one instalment of a larger sum. He asked the House to consider the position in which this country might be placed, supposing the Russian Government to have purchased 2,000,000*l.* or 3,000,000*l.* of our securities, now that it was provided by the Act of 1844, that the Bank of England must, under certain contingencies, throw securities into the market? Russia bought up at a low price, and afterwards, being anxious, perhaps, to embarrass us in our monetary concerns, forced the securities purchased by her into the market, also at the very moment, perhaps, when the Government and the Bank were themselves obliged to sell. Why, such a stroke of policy would more effectually control us than any foreign war. The Chancellor of the Exchequer, in the returns which he read to the House, had not seemed much disposed to enlighten the House as to what the amount of circulation generally in the country was, but fixed our attention almost altogether on the Bank of England. He said little of the banks of Scotland, or Ireland. He did not give the circulation of the United Kingdom. [The Chancellor of the Exchequer was understood to say that he had stated the amount of circulation in England, Scotland, and Ireland, at a certain period.] He (Mr. Newdegate) would, however, read a few figures to the House, showing the comparative statement of the circulation of the Bank of England and the United Kingdom for four months ending November 7, 1847, and the same periods in 1846 :—

BANK OF ENGLAND.

	Aug. 14.	Sept. 11.	Oct. 9.	Nov. 6.
1846..	£20,603,010	20,280,558	20,282,897	21,239,674
1847..	18,784,890	18,102,589	18,340,832	20,226,714
Decrease	£1,818,120	2,177,969	1,942,065	1,012,960

But let him now show to the House the contraction which the circulation of this country really experienced. These were the figures :—

UNITED KINGDOM.

	Aug. 14.	Sept. 11.	Oct. 9.	Nov. 6.
1846..	£37,879,788	37,817,416	39,155,523	40,954,591
1847..	34,587,487	33,778,482	34,705,245	36,736,205
Decrease	£3,292,301	4,038,934	4,450,278	4,218,386

Now, this showed that the circulation of the Bank of England was about one-seventh more than the circulation of the other banks in the United Kingdom, and that the contraction of two millions of the Bank of England's circulation produced a contraction of more than two millions in the circulation of the other banks, and that the action of the Bills of 1844-5, in producing contraction of circulation, was greater upon the provincial circulation than upon the circulation of the Bank of England. But he would beg the attention of the House to another fact. Under the Act of 1844, the Bank was empowered to trade in discount with their reserves, arising from Government and other deposits. With the capital which appeared in the Bank returns under the head 'Notes,' the Bank went into the money market, not with their own capital, but a free gift made to them, under the operation of the Bill of 1844. This cost the Bank nothing, and, therefore, of course, the Bank could afford to undersell other discount houses. The other securities, as they were called, showed to what extent the Bank could afford to reduce its rate of discount, and had increased its discount business. In the month of September, 1844, these amounted to 8,645,214*l.*; in 1845, they amounted to 12,951,080*l.*; in 1846, they amounted to 12,982,631*l.*; and in 1847, they amounted to 18,514,805*l.* The House would immediately see the important bearing of these facts, and that the framers of the Act of 1844 had, by its provisions, secured that there should be a contraction of credit previous to, or at least simultaneously with, a contraction of the circulation. He should be surprised indeed if the right hon. the Chancellor of the Exchequer were to deny that this was the case, or that the amount of accommodation thus afforded by the Bank must necessarily vary with the amount of notes kept in re-

serve, after what occurred last spring; or that this was according to the intention of the Act of 1844. [The CHANCELLOR of the EXCHEQUER: I do deny it.] Perhaps that might not be the intention of the framers of the Bill of 1844, but it could not be denied that that was the effect. He was glad to find, however, that the right hon. Gentleman was not prepared to carry out the Bill at all hazards, and that in that respect he was at variance with the right hon. Baronet the Member for Tamworth, who said in the course of last spring—such was then his confidence in the operation of this Act: he said—

"Let the Bank feel that its own position is in danger, and the convertibility of its notes is doubtful, then the Bank will have to consult not alone its own security, for that would be a subordinate consideration, but the permanent welfare of the country by securing at any hazard the great object of the convertibility of paper into gold."

But perhaps they might be told that this convertibility was never in danger under the Act of 1844. Then let the country understand that it is to retain double the amount of bullion required previous to 1844, in order to satisfy the fears of the bullionists that convertibility, which had never failed since 1819, might be further secured. However, he was glad to find that there was that point of difference between the two right hon. Baronets. He would now advert to another circumstance which, he thought, had been much undervalued. It was this —that on the 23rd of October last, there was imminent danger, either that the Bank of England should violate its charter, or that it must stop payment altogether. What were the circumstances of the case? The notes kept in reserve in the Bank amounted to 1,176,000*l.*, and, unless rumour were very much mistaken, which he had reason to know it was not, such was the pressure on the money market that various influential bankers waited upon the Government, and intimated that unless some relief were given, they must withdraw their deposits. These private deposits amounted to 8,000,000*l.* sterling; and if even 3,000,000*l.* had been withdrawn, he would ask what alternative was there for the Bank between the violation of the Act of 1844 or stopping payment? He might be told that they could obtain money by selling their securities; but, under the circumstances that had then arisen, he need scarcely ask what their value would be, or whether during a panic it was possible to sell them. In fine, all he had to urge upon the Government was this, that the present condition of the country should be considered—that, with the prospect of a long investigation before them, they should not tamper with the best interests of the country, by maintaining a law by which it was certain that the commercial pressure was increased, so long as the balance of trade was against us, and there was every reason to believe that it would not be immediately favourable. A law which had endangered the solvency of the Bank of England—a law which had already most unjustly made merchants sacrifice their property. He was told—and he had high authority for stating it—that the commercial losses in Liverpool this year alone amounted to 2,000,000 sterling. This law had produced unnatural cheapness. It had reduced the price of cotton 1*d.* per lb. less than it was at this time last year, in spite of a vastly diminished supply owing to a bad crop; and with such facts staring them in the face, could they congratulate the country on the pressure which had been produced? He had stated to the House the other night the number of failures which had taken place in the country. They then amounted to 117 first-rate houses which had stopped payment, and now they amounted to 143. Then look at the number of bankruptcies. The bankruptcies during the last four months amounted to 557, while the number in the corresponding months of last year amounted only to 406—thus showing an increase of 171. He trusted, in the face of these facts, that no dogmatic adherence to a principle which had already proved impracticable, would prevent the Government from agreeing to a relaxation of this offensive and restrictive law. The right hon. the Chancellor of the Exchequer said, in 1846, that no power of relaxation ought to be left in the hands of the Government; but it appeared that they were now obliged to depart from its regulations; and he would ask whether it was not more respectful to the Legislature that it should relax the laws which itself had made, rather than that the circumstances of the country should drive the Government to relax them? What was the opinion of the right hon. Baronet the Member for Tamworth on the question whether the Government ought by the law to be permitted to exercise such a power? He said—

"We declined to accept that power, not from any unwillingness to undertake the responsibility, but because we thought that Parliament, and Par-

liament alone, ought to exercise the authority to relax that which Parliament had enacted. After the fullest consideration, we felt that it was a power which Government ought not to assume."

He believed the majority of the House had confidence in Her Majesty's Government; but did they mean to leave practically in their hands such a power as this? For be it observed that during the recess the power rested solely with the Government; and through the exercise of it the Government possessed the power of altering the monetary laws of the country: thereby they had the power of changing the value of every man's property in the kingdom. He was not jealous of any legitimate power being placed in the hands of the Government; but he must say that this was a power which was unfit, and, more, which was unprecedented. It had been contended that, as no actual violation of the law had taken place in consequence of the letter of the 25th of October, no indemnity was needed. But as the letter was contrary to the law, and as it was impossible that the letter and the law could have both been in force at the same time, he must say that the argument, that, because no increase of the circulation had taken place, therefore the law had not been violated, was a pretence too flimsy to impose upon any one. The letter of the Government was declared both by the Government and the Bank to have been in force till it was cancelled: we had experienced relief from it; and it was directly contrary to the Act of 1844—therefore, whilst the letter of the Government was in force, the law had been of no effect. He, for one, must say, that the House would show little regard to its own privileges if it did not require Her Majesty's Government to receive what they were willing to offer freely—an Act of Indemnity for having contravened the law and the decisions of Parliament. He trusted that they would assert this right, and that they would further insist that this weight should be taken from the springs of industry, as had been wisely suggested by the right hon. Member for Coventry.

Mr. MITCHELL said, the hon. Member who had just sat down had argued that the pressure in the country was in no degree owing to the expenditure on railways, which, he said, was retained within the country; and yet soon afterwards he went on to quote the great increase in the imports of butter, cheese, &c., as one element in the distress, because they had been paid for in bullion and not in manufactures. Now, the argument of the hon. Gentleman made against his own position, because these increased imports of secondary articles of food had been caused by the demand for them by railway labourers and others, who had been paid an increased rate of wages; so that whatever derangement of the currency could be traced to these importations might be directly attributed to the railways. This was still further proved by the hon. Gentleman's quotation, that, while the articles consumed by the labouring classes had so enormously increased, the importation of wine, which was used by the rich, had not increased at all. He, for one, was not disposed to attribute much of the present distress to the railways; he attributed it rather to the enormous losses sustained by this country in the bad harvests, aggravated, he must say, by the unwise policy of the Government at the beginning of last Session. He did not wish to speak lightly of such a calamity as befell them last year; but he must say that the archiepiscopal letter, the proclamation of a day of fasting, the notice that the royal household were to use coarser bread—all these were, as it were, advertising our wants to the whole world, who accordingly raised their prices upon us, and the consequence was that we were called upon to pay 10 per cent for the corn more than we needed to have done. He did not mean to say that we had bought too much corn, but that we had paid too high a price for it. With regard to the complaint that we had had to pay for this corn in gold instead of in manufactures, it ought to be remembered that there were only two parts of the world from which corn could be procured, the extreme east of Russia and the United States; and it was not to be expected that in such a sudden emergency either the Cossacks and Calmucks of the one country, or the backwoodsmen of the other, could all at once increase their consumption of our manufactures. With regard to the railway speculation, there was one circumstance that had always appeared extraordinary to him—he alluded to the speech of the right hon. Baronet the Member for Tamworth on turning the first sod of the Trent Valley line. At a time of excessive speculation, it had the effect of exciting speculation still further, and directing it to one of the worst features of the railway system, the making of straight lines. At the same time, he admitted

that if Government had attempted to restrict the railway speculation in 1846, they would only have driven the capital of the country into foreign speculations. But he was not so clear that the same effect would have followed in 1847. The tide of speculation was then on the turn, and any check on the part of Government would have done much good. The hon. Member for Stafford had referred to the monetary system of Russia as being a paper one. But he thought there was some mistake in this; for though there no doubt was a paper circulation in Russia, yet it was notorious that it was supported on an enormous substratum of bullion, which was lying in the Government cellars of St. Petersburgh. He thought the hon. Member for Warwickshire was also mistaken in his impressions regarding the investments of the Emperor of Russia in our funds. It was notorious that the Emperor had long invested capital in English securities, and since his agent here failed, which took place two years ago, he had chosen the Bank of England as his depositary. But the idea of the withdrawal of his investments deranging the affairs of this country, was too weak to impose upon any man. With reference to the Bill of 1844, there was one circumstance which he did not think had been sufficiently alluded to—he meant the enormous check which it had imposed upon the circulation of country banks. If they had been allowed to issue their notes without the restrictions of this Bill, the country would have been inundated with them on the security of railways. From that evil they had been preserved by the operation of this Bill. He must say he did not see the use of the appointment of a Government officer to the Bank. If there was such a necessity, he thought the Chancellor of the Exchequer himself ought to be so appointed, as no Government officer could give better advice to the Bank than the Financial Minister of the country. He agreed with the right hon. Gentleman (the Chancellor of the Exchequer) that every class of the mercantile community had been guilty of over-trading within the last few years, and he did not know what provision of legislation could correct that; but it must be left to the operation of such severe checks as they had suffered during the present season.

Mr. HENRY DRUMMOND was surprised that a person of such intelligence and ability as the right hon. Gentleman who spoke in the early part of the debate, should conceive it possible that any one act or the whole of the acts of any one man, could have produced that complication of things in which they now found themselves. Truly, the right hon. Baronet the Member for Tamworth must be a most wonderful man, and his Bill a most wonderful Bill, if he or it could have done one-twentieth part of the things which had been attributed to both. It was admitted on all hands that they were in the midst of a complication of misfortunes. He did not know what the meaning of the word "panic" was if it did not mean that people were become alarmed at the consequences of their own folly. The right hon. Gentleman the Member for Coventry had showed most clearly that many things had contributed to produce that panic. Unquestionably the famine in Ireland had created a large demand for corn, and so far as that demand was extra the demand in former years, and not paid for in manufactures, it was paid for in bullion. If that gold were lying in our coffers, then it went away without affecting prices; but if it was not, but was in circulation, or had to be obtained, then of course the importation of corn contracted the currency, and caused prices to fall. With respect to the repeal of the corn laws, he was as much a dissentient from that measure as anybody; but he would oppose it in a fair stand-up fight, and not take advantage of a popular clamour to raise a cry against it that it did not deserve. He, however, did not believe that it had anything whatsoever to do with their present circumstances. With regard to railways, he confessed he considered Government was much to blame; not the present Government only, but the last Government also. Because, when they were warned by their own Board—when Lord Dalhousie had made his report upon the subject, and called their attention to the magnitude of these undertakings—unquestionably they ought to have done something to check the railway mania that was then raging in the country. But private gentlemen, as well as the Government, were to blame for sanctioning the speculations that came before them. It was evident that many of the schemes were got up by attorneys, surveyors, and engineers, merely as the means of making money. They obtained the sanction of gentlemen to those schemes, who allowed their names to be used as directors, without any inquiry into the merits of the plans proposed. This induced tradesmen and

men of small capital, who put confidence in those names, to subscribe to undertakings they knew nothing about. The way in which those men were injured was by their taking the money which they obtained out of the profits of their business, and which, in ordinary times, would be invested in such business, and purchasing shares in railways for the sake of a greater amount of interest. One great evil resulting from this had been, the raising the interest on mortgages throughout the country; and he did believe that it would not end until they had witnessed a great sacrifice of landed property. Railroads were a description of work which could not stop. Railroads must be finished. Supposing a manufacturer had a mill burnt down, and he spent 100,000*l.* in rebuilding the mill, but found that it required 20,000*l.* more to finish the work, this 20,000*l.* he must have, for the 100,000*l.* he had already spent, was useless until the mill was finished. The railroads were in the same condition. They must be finished. They could not make any return for the capital already expended until they were. The only difference between a mill and a railroad was, that a mill belonged to a private individual, or to a few individuals, whereas a railroad was the property equally of every interest in the country. With respect to the right hon. Baronet's Bill of 1844, he remembered that when it was first brought forward, he supposed it was to be the great precursor of a measure for putting an end to that connexion between the Government and the Bank which he thought had subsisted already too long. One provision, however, of that measure he had always considered exceedingly objectionable—he meant the weekly publication of the Bank balances. He was quite sure that no persons but the Bank Directors themselves were judges whether these balances were favourable or not. But everybody who saw the weekly publication thought they were judges, and judged accordingly, and generally judged wrong. He might observe that although he was for many years conected with a well-known banking establishment in London, yet for the last fifteen years he had ceased to have direction of it; therefore any information he might possess on this subject was no more than what any other gentleman might obtain. But it was quite obvious that the mode of conducting the business of the Bank now was quite different from what it was some years ago. The right hon. Gentleman the Member for Coventry had gone into that subject; and he would not on this occasion pursue the point any further. I come now (said the hon. Gentleman) to the question of over-trading; and it is not for the sake of blaming any party, either those who have failed, or those who have stood, but it is for the sake of pointing out to the House what is the real basis of this boasted modern system of trading. In olden times, when the argosies went out from Venice and Genoa, they carried goods to exchange for bullion, or, *vice versâ*, they carried out bullion to pay for goods. There was no such thing as trading by means of paper, nor was that system adopted until this nation chose to discard their legitimate kings, and bring over a Dutchman. It was then that you entered upon the mischievous course which has brought you to your present pass. The individual the most judicious, most experienced, and most cautious in all matters connected with mercantile concerns, is reported to have lately made a statement which sets forth the nature of this paper system. I allude to Lord Ashburton. That noble Lord is reported to have said, that—

> "Capital is a connexion of capital and credit, and when some wise people talk of solid capital apart from credit, they have no knowledge of the commerce either of this country or of any other part of the world. If a man has a capital of 10,000*l.* or 20,000*l.*, he may legitimately be doing business to three times that amount. All the manufactures, and the whole trade of the country, from one end to the other, are carried on upon that plan."

If this be a true exposition of the system, then all I have to say is, that two-thirds of the trade of the country is perfectly rotten. I beg to ask what is credit? Credit is belief. You believe somebody. What do you believe? Do you believe that this merchant or that man has got 30,000*l.*? No, you do not, because you know that he has only got 10,000*l.* Do you believe that another merchant or another man has got 100,000*l.*? No, you do not, because you know he has only got 30,000*l.* It appears to me that what you call panic, or want of credit, is only a symptom that men are coming to their senses, and that they have determined no longer to give a man credit for what they know he does not possess. Your system of credit is one which can never stand long. It is utterly impossible that it can be a sound principle, or one that is based in truth. This fallacious system of trade, which, after all, is nothing more than a

man trying to make others believe that he is three times richer than he really is, runs through the whole system of modern society. As in trade, so in his private affairs, a man, to keep up a false reputation, lives at a rate three times beyond his means. It does not become me to read a homily to this House; but I must say, that so much respect as the possession of money commands in this country is most discreditable to the age in which we live. It is perfectly astonishing to know that a man is not esteemed so much for his moral worth as he is according to the wealth which he possesses. So long as this morbid feeling shall exist in the country, so long will this system of false credit continue. But I will turn from that subject, and consider the case of the manufactures, and the manner in which they are affected by the great mechanical skill that pervades the country. Should any mill be burnt down to-day, it will be replaced by one so far superior that the manufactured article will become much cheaper. Now, observe the consequence. Your whole system is to make things cheap; the consequence is, that a piece of goods which is sold on the 1st of December, 1847, at a certain price, will be sold on the 1st of December, 1848, at a much lower price. Is it not quite obvious, then, that any man who bought goods this year, must sell them at a much lower price next year; and that he must be a loser unless he sells the goods instantly? This process runs through every branch of manufactures. I often see handbills placarded in shops, stating that the goods are selling below prime cost. It is supposed that these bills are a mere trap to take in the unwary; but I know them to be no such things. I know the articles are selling under prime cost, for I have many times witnessed it. It has been said that there always have been seasons of depression followed by seasons of prosperity; that there has always been a succession of gloom and sunshine in the commercial world —in short, that it is in the nature of things that it should be so. But how comes it to pass that these seasons of gloom and depression increase both in frequency and intensity? It is because you have changed the whole relative condition of society. In former times land was everything, and manufactures nothing, or comparatively so. A distinction is found in your common law between that property which is real and that which is personal, because your common law is common sense. That which is permanent has an advantage over and beyond that which is transitory and ephemeral. But what has been your system of late years? To cry down the real, and exalt the personal; to put down wool, and elevate cotton; to depress the land-lord, and raise up the cotton-lord. You have cheapened your goods, and taken from your customers the means of buying them. You have made the towns rule the land; and at length you have found a man fitted for the purpose—a manufacturer of consummate eloquence, prudence, and judgment, who knows how to make his words tell, and who knows how to act as well as to talk, and he has come forward and said the towns shall rule the country. The towns do rule the country; and much good may it do them! No longer shall the Chancellor of the Exchequer be able to repose on a bed of roses. You have repealed the corn laws, and now you shall witness alternations of glut and scarcity. Your new commercial system shall lead to the amassing of colossal fortunes amidst starving millions. You shall have operatives lording it over you; at one time burning mills, and at another sacking palaces. The enlightened constituencies in towns have found out that this House is precisely the place, of all others, in which Ministers have no business to be. True, you may point to London, and ask, "Have they not returned the First Lord of the Treasury?" Yes! but they have detracted somewhat from the grace of the boon by coupling him to a Jew. And the constituency *par excellence* — the citizens of enlightened modern Athens—found out that their modern Demosthenes was not worthy of a seat in the House, and they discarded the man most fitted to adorn this assembly, and sent in his place a Gentleman to teach us how to make paper.

Mr. MACGREGOR said, that he would have abstained from obtruding himself on the attention of the House, were it not that, as the representative of a great commercial constituency, he felt called upon, when the subject of commercial distress was under consideration, to address a few observations to the House. His right hon. Friend the Chancellor of the Exchequer had stated with great ability the causes of the commercial distress which had visited the country, and although he agreed with his right hon. Friend in attributing the distress to those causes, he differed from him as to the degree to which some of the causes had operated. He conceived that

the deficient harvest and the loss of the potato crop was the principal cause of the distress which prevailed. With respect to railways, although Parliament had passed a much greater number of Railway Bills than he thought it was wise to do, he did not attribute much of the distress to investments in railways; for, during the period of unparalleled scarcity which had recently prevailed, he believed that the employment afforded by railways had, to a great extent, relieved the distress of the country. Nor did he attribute the distress to the Bank Charter Act of 1844, although he thought that Act was defective, and believed that it would be productive of so much inconvenience that Parliament would be obliged to remedy its defects. It was his opinion that we should never have a currency not convertible into gold; but, at the same time, he conceived that the restrictions imposed by the Bank Charter Act of 1844 constituted, particularly as regarded Scotland, a grievance, and must necessarily cause much inconvenience, and some commercial distress. It was a matter of regret to him that his right hon. Friend the Chancellor of the Exchequer referred to the Scotch banking system, or rather the joint-stock banks of that country, in terms which were calculated to create an erroneous impression respecting those establishments. He believed that to the system of Scotch banking, coupled with the economy and industry of the people, the general prosperity of that country, and the great improvements made in manufactures and agriculture, must be attributed. The best test of the merits of the Scotch banks was to be found in the small number of failures which had taken place, and also in the fact that of the establishments which had failed nearly all had paid in full their obligations to the public. He begged leave to read a passage from Mr. M'Culloch's *Statistics of the British Empire*, on the subject of Scotch banks:—

"Owing partly to the superior stability derived from their extensive proprietary, but more perhaps to the less risk attending the business of banking in Scotland, bankruptcies have been very rare among Scotch banks. They have long enjoyed the unlimited confidence of the public, and from their receiving small sums (10*l.*) as deposits, and paying interest upon them at about 1 per cent below the market rate, they have contributed much to diffuse a spirit of economy, and to increase accumulation. One pound notes were issued by the Bank of Scotland in 1704, and their issue has been thence continued to the present day; the Act prohibiting their circulation in England not having been extended to Scotland. For many years past very little gold coin has been seen in Scotland. The Scotch banks make their advances partly by discount of bills, and partly by what are called cash credits. The latter is a very convenient method of issue. A cash account is a credit given by the bank to an individual drawing for it, wholly or partially, as he pleases, replacing it in the same way—being charged interest only only on the portion he withdraws."

A little pamphlet written in 1734 by Patrick Lindsay, then Lord Provost of Edinburgh, gives an account of the condition of Scotland previously to the establishment of banks in that country. Mr. Lindsay says—

"We were then strangers to trade. War was our trade, and military discipline our profession and sole study. When we had peace at home our gentlemen and persons of quality went abroad in quest of foreign adventures, and carried with them numbers of the common people as soldiers and troops for foreign service. Many of them were engaged on both sides in these wars in the Low Countries."

No country had ever developed its resources so extensively and so advantageously as Scotland had since the Royal Bank was established, in 1727. No country of equal population had made greater improvements in agriculture and manufactures. It would be unjust, in referring to the progress which Scotland had made, to withhold all allusion to the excellence which she had attained in naval architecture, particularly in the department of steam vessels. The admirable steamers which run between Liverpool and Boston and New York were all built in the Clyde; and it was not going too far to assert, that better vessels than those constructed in Scotland, whether for the purpose of war or commerce, never ware launched from the dockyards of this country. All this had taken place under the Scotch system of banking; and therefore he trusted that no attempt would be made to interfere rashly with a system which had produced such beneficial results. Let it be understood that he did not wish to see a system of currency in Scotland which should not be convertible into gold; all he maintained was, that the Scotch banks were adapted to the wants of the country in which they were established, and answered every purpose which was required from them.

Mr. SANDARS: Sir, nothing but a paramount sense of duty to my constituents, and to that order of British merchants to which I belong, would have induced me to have risen on the present occasion to address the House. Sir, I claim the indulgence of the House, not only as a new Member, but still more as having just

passed through the fiery furnace of affliction from a severe domestic bereavement. Sir, I have heard during the present debate, a variety of opinions given as to the cause of the mercantile distress, and the monetary difficulties under which we have been and still are suffering; also almost as many remedies proposed as there are hon. Gentlemen who have spoken on the subject; and perhaps, Sir, before I sit down, I may add another to that number. The right hon. Gentleman the Member for Coventry attributed much of the distress to the transition state through which we were passing, from protection to free trade, aggravated by railways and the Currency Bill of 1844. The hon. Member for Stafford attributed it entirely to the Currency Bill of 1844; whilst my hon. Friend the Mover of the Address laid nearly all the blame on railway expenditure. The right hon. Baronet the Chancellor of the Exchequer, though he did not go quite so far, yet he attributed much of our monetary difficulties to the same cause; other hon. Gentlemen had blamed free trade exclusively for all our disasters. Sir, I differ from all these opinions, and will shortly give my reasons. I shall first take the negative side of the question, and state to the House what I believe are not the causes of this distress. The right hon. Baronet the Chancellor of the Exchequer enumerates in the last seven years some 110,000,000*l.* which have been expended in railways, leaving some 130,000,000*l.* to be raised the next three years. Sir, I do not attempt to justify Parliament in granting so many railways in three years. I think hon. Members who passed these Bills have incurred a deep responsibility in granting powers to make lines in some five years, which ought to have extended over at least twenty years—and in turning a deaf ear to the able reports and judicious advice of the Board of Trade. But, Sir, what I wish to show is this—that railways are not the chief cause, but a mere rivulet in comparison with the mighty stream of commercial embarrassment which has well nigh overwhelmed us. I wish also to show, Sir, that railways do not impoverish the country—they do not take gold out of the country—they do not force the exchanges against us, nor do they make "floating capital fixed," nationally speaking, though they may individually. For instance, suppose I sink 50,000*l.* in constructing railways, one portion of that goes for land; another for iron; another, and by no means a small sum, to the lawyers and Parliament for procuring the Bill; and a still larger sum to the contractor, who deals it out again to the labourer, or for the purchase of materials for the line. So there is only that portion of it goes out of the country, and becomes lost as it were to the country, which is paid as extra wages to the labourer over what he would otherwise procure. For instance, supposing that there are 250,000 "navvies" employed at 20*s.* per week, these men, had they not been so employed, would have had to live. Suppose their wages would have been 12*s.* per week, then, Sir, the difference would be about five millions; and presuming they spent half their extra wages in food which had to be imported, that would make two and a half millions as a drain on the country: the rest circulates through our commercial system in like manner as the blood does through the human body, revivifying the whole. But, Sir, there is one important feature connected with railways, and which, I believe, no hon. Gentleman has yet alluded to, and that is the large sums sent from this country to be invested in foreign railways. I know not the amount, but this I do know, the sum is considerable, and has far more influence on our money matters than all the English railways put together; and it is a subject for grave consideration, if we suspend railways in this country, whether we shall not drive our capitalists abroad, to invest in foreign railways; which will be a real subtraction of capital from the country. Sir, some hon. Members have attributed our distress to the Monetary Bill of 1844. I am not going to defend that measure. My opinion of it is not recently formed. I always said, in good times and times of prosperity it was an inoperative or useless measure; and that in times of difficulty it would not work; that it would prove too stringent in its nature, and would produce ruin and destruction if fully acted upon. Sir, this I need not attempt to prove; the fact is too visible to us all, and the integrity of that measure cannot now be maintained. I am not going to censure the Government for their letter of October 25th, only that I think they delayed it too long; had they interfered a month earlier, much mischief and ruin would have been prevented; but I do blame them for fixing the minimum rate of interest at 8 per cent. It has inflicted a severe blow on the mercantile interests of the country. Previous to this

notice, discounts were to be had in the country for 5 or 6 per cent; even in Yorkshire 6 per cent was the current rate; but afterwards the rate was generally raised to 8 per cent. The relief came at a time when it was least needed—when the panic was subsiding, when the exchanges were turning in our favour, and every week gold was flowing back to the country. Being satisfied that the Bill of 1844 cannot be allowed to remain, I am disposed to join in the appointment of a Committee to examine into the cause of our commercial distress, particularly as respects the Bill of 1844. The only objection I have is as regards the time. I fear the labours of the Committee, for so comprehensive an object as the Motion of the right hon. Baronet the Chancellor of the Exchequer, will not be terminated during the present Session. If so, Parliament ought not to separate without passing a temporary measure investing the Government and the Bank with a relaxing power in case of need. Sir, the next cause of the distress is, according to the opinions of some hon. Gentlemen on this side of the House, the free-trade policy of the Government. Sir, in this opinion I must beg to differ from them; and, in doing so, let me tell the House I was never an advocate of the principles of the free-trade policy of the Anti-Corn-law League. I happened to be a director of the Manchester Chamber of Commerce at the period when the hon. Member for the West Riding of Yorkshire and the hon. Member for Stirling Burghs were directors; and when they first brought forward their plans for a total repeal of the corn laws, I, Sir, did my utmost to oppose what I considered was most hazardous and dangerous policy. But, Sir, I and those with whom I acted were defeated; they triumphed in that Chamber—they have since triumphed in this House. We as a country are committed to free trade, or what they call free trade; and, as far as I am concerned, it shall have a full and a fair trial; and I sincerely hope, for the good of the country, they may prove right and I may prove wrong. At any rate, as yet it has had no trial. We should have had free trade in corn, at least 1*s.* duty, under the old law; and though under that law the imports might have been less, yet, I contend, and am prepared to prove, we have not imported one bushel of grain too much. It is not fair to attribute our present difficulties to free trade, though no doubt as regards sugar, and various provisions, the free-trade measures have increased our difficulties. I now come, Sir, to the point, to the chief and great cause of our commercial and manufacturing distress. It is, Sir, owing to the large imports of grain consequent upon the deficient harvests of 1845 and 1846, particularly as regards the potato disease in the sister country, depriving some six millions of people of their accustomed food. The right hon. Baronet the Chancellor of the Exchequer has told you that from June, 1846, to January, 1847, 5,000,000*l.* were paid for foreign corn; from January to July, 14,000,000*l.* more; and in the three next months, from July to October, a further 14,000,000*l.*; making in all the enormous sum of 33,000,000*l.* of dead loss to the country. Pray, Sir, is not this sufficient to account for our difficulties, leaving railways out of the question? How has this large sum been met, when only some seven millions of gold have left the country? Why, Sir, by withdrawing all foreign balances due to this country; by the sale of foreign securities held in this country; by the forcing off our manufactures at any price, regardless of the cost; and by keeping low stocks of the raw article. Sir, I consider this the base of the pyramid of our difficulties, railways the column, and the Currency Bill of 1844 the apex. Sir, having found fault with the Currency Bill of 1844, it is but fair that I should state more fully my views as a remedy for that evil. If the sum of fourteen millions issued on securities were extended, it would be a great improvement. Still, Sir, in times of pressure and dearness, the currency might be inadequate. When wheat is ruling at 5*l.* per quarter, it stands to common sense that the circulation of the country banks should be greater than when wheat is at 50*s.* per quarter. The Bill of 1844 restricts this, and confines the circulation to the average of the five preceding years. Sir, I would allow the country banks to issue any amount of paper they required, giving ample security to the Government for such issue. Self-interest would be a sufficient protection against the abuse of this power. I would also, Sir, issue at once fourteen millions of Government notes, and pay off the Bank's debt; these, Sir, to be inconvertible as regards the public so long as the Bank Charter lasts. And further, to allow the Bank to issue what further amount of notes they may deem prudent for the wants of the country. We should thus get rid of the

dreadful screw which inflicts so much ruin and disorder on the trading community. Sir, before I sit down, I shall, with the permission of the House, allude to a subject personal to myself as a corn merchant and an importer of grain. When I had not the honour of a seat in this House, I well remember the charges brought against the importers of grain. A noble Lord designated them as "gambling speculators, regrators, and forestallers." Sir, I stand here to deny these charges, and to state to the House and the country there is not in the kingdom a more honourable class of merchants than the corn merchants, and those engaged in importing foreign grain. Sir, if any justification of their proceedings were necessary, we have the fact of the noble Lord at the head of Her Majesty's Government coming down to this House in January last, asking for a suspension of the corn and navigation laws, to encourage the importation of grain; and again in July, repeating that application, and stating to this House it was necessary for the wants of the country to encourage the bringing in of every bushel of grain that could be procured. I think, Sir, these facts, to say nothing of the daily publication in the leading newspapers of the alarming accounts of want and famine in prospective, were a sufficient justification for the exertions made by the corn importers to bring it to our shores from all parts of the world. Sir, these large imports, together with the fine weather, did bring prices down in the months of July and August, from 110*s.* per quarter for wheat to 55*s.*; from 50*s.* per barrel for flour to 25*s.*, and even less. Sir, was this no boon to the country? Was this no relief to our labouring population? Sir, the corn importers deserve rather the thanks of Parliament and the country than their censure. They entered into those speculations at the suggestion of the Government, yet, no doubt, with a view to their own profit, as all mercantile business is based on profit. The speculation failed. It proved their ruin, but was the salvation of the country. Sir, I am prepared to prove that had it not been for the favourable weather in the three months preceding and during harvest, prices would still have advanced, and that we should not have imported enough for our wants, and the corn merchants would not have been ruined. As it is, Sir, not one bushel of grain or one barrel of flour have been imported more than the wants of the country require. What has become of the immense importation of grain, 10,000,000 quarters, from January to November 10 this year? Where are the stocks? Why, Sir, in Liverpool, where the imports of flour have been 2,400,000 barrels for the year ending September 30, it is calculated not more than 200,000 barrels are left, and this includes sour and above one-half that which is unfit for human food. Sir, I do not wish to be a prognosticator of evil; but I would warn the House against that tone of confidence assumed by the right hon. Baronet the Chancellor of the Exchequer, of returning prosperity. I tell the House it is probable a further import of corn, to the extent of probably some eight millions of value, will be required to carry us on to another harvest. And, Sir, I ask the right hon. Baronet what position we are in to meet this drain—no surplus of gold, of stocks of goods, or securities—foreign balances all withdrawn. I fear, therefore, Sir, we must look forward yet to great difficulties; perhaps during the next year as great or even greater than we have already passed through. I have, Sir, endeavoured to prove that our commercial distress is not owing to railways, to the Currency Bill, or to free trade. All, no doubt, have aggravated our difficulties; but the one great cause which has led to our difficulties is the deficiency of the harvests of 1845 and 1846, particularly as regards the potato crop in Ireland.

Sir W. CLAY concurred in the feeling which he thought was general in the House, to assent to the Motion of the right hon. Gentleman, although he could have wished that the instruction to the Commitee had been somewhat less large. Assuming, therefore, that the good sense of the Members of the Committee, if not the instruction itself, would induce them to limit their inquiries within a manageable compass, he was satisfied that great good was likely to result from the appointment of the Committee. There could be no doubt that, in the important subject to which their inquiries would be mainly directed, great diversity of opinion might exist; and it would be satisfactory, therefore, to the House and to the country, that the facts and reasonings of the question that would be submitted to the Committee should be fairly elucidated; and that if there should be any fresh measures, those measures should be grounded on the experience of the last twelve months, and the judgment of those best competent to turn that expe-

rience to account. In assenting to the appointment of the Committee, he wished to guard himself against being supposed to expect much as the immediate result of their labours. The utmost that legislation could effect with reference to the monetary condition of the country, rather consisted in averting evil than in originating good. When, therefore, he heard a Gentleman so well entitled to respectful attention as the hon. Member for Huntingdon use the language he did, he wished to guard himself against being supposed to participate in such expectations, or to acknowledge any such power to exist. The rate of interest, and the cheapness of money, must depend upon the supply and demand of capital. It seemed to him that it was utterly beyond the power of the Legislature to add one single pound to the capital of the country. The utmost that it could do was to take care that the circulation, consisting partly of money and partly of paper, should not exceed the proper amount. The currency of this, as of every country, meant the convertibility of its paper into money; but experience had shown that where the issue of paper money had been entrusted to those who profited by the issue, they issued to a greater extent than the metallic money. To obviate these evils was the sole object of the Act of 1844. It had been said that the immediate authors of that Act claimed for it a much higher power—that it would render a monetary crisis impossible. He certainly did not himself recollect that the right hon. Member for Tamworth used any such language. Although an humble and zealous supporter of the Bill of 1844, he never indulged in any such anticipations. The only question worth the consideration of the House was whether the object of the Act of 1844 was desirable, and whether that object was obtained. The object of the Act of 1844 was, as he had stated, to secure that our paper currency should fluctuate only as metallic currency, and thereby secure at all times the convertibility of our paper. This object was of incalculable importance, and under circumstances of the greatest difficulty had been fully and completely attained. He would not advert to those circumstances: they had been fully and ably stated by the Chancellor of the Exchequer; but there could be no doubt that those circumstances had a tendency to press on the resources of the country, and to create a monetary disturbance to an extent without a parallel in the history of this or perhaps of any other country. Was the country better prepared by the Act of 1844 to meet the coming storm? What were the facts? On all previous occasions of a drain of gold, the limitation of banking accommodation was much longer delayed than during this last panic. It was on record that there had been no limitation of the issue of country bank notes, or of notes of the Bank of England. To what did we owe our present safety? To what did we owe that we were in a better condition now, than we were six weeks back? Was it owing to the letter of the Chancellor of the Exchequer and of the noble Lord? The noble Lord and his right hon. Friend would be the very last to make that assertion—they would admit that it was not owing to the effect of relaxation, but to the operation of the Act of 1844 that we owed the influx of bullion. It was not without considerable hesitation that he expressed an opinion on the policy of the letter of the 25th of October; but he believed that his right hon. Friend would not hesitate to avow that the relief which alone could have been afforded by the relaxation, would have been contrary to sound principles, and pregnant with dangerous consequences. Although his right hon. Friend had failed to convince him that the step taken by the Government was inevitable, yet he was bound to say that he hesitated before he ventured to condemn the step then taken by the Government, or to pronounce that the responsible advisers of the Crown were not justified, under the circumstances, in acting as they had done. Of this he was certain, that the right hon. Gentleman and the noble Lord deplored as much as he could the necessity for the step they felt themselves compelled to take. He believed also they were aware of the unjust consequences to which that step might by possibility lead. This also he was bound to add, that if the step was inevitable, in his opinion it was judiciously taken at the right time. The hon. Gentleman who had just sat down had deplored the step not being taken earlier. In his opinion the best justification of its being taken at all was, that it was taken so late. If the letter had been written whilst the exchanges were adverse, he believed the result must have been most distressing to the country. He believed the result would have been, that seven millions of paper would have been issued by the Bank; that the exchanges would have been more and

more adverse; and to remedy that state of affairs, the Bank would have resorted to more stringent measures, or, if not, we should have had to witness a suspension of cash payments. It was only on such occasions that the interference of Government could be justifiable. But there could be no doubt that this measure of the responsible Minister of the Crown did, in point of fact, raise the question whether the Act of 1844 could be permitted to remain in its present state. He remembered that at the time of the passing of the Act, it was a question whether the power possessed by the Government should have been vested by the Queen in Council. He could only hope, that if in the Committee it were necessary to adopt any such proposition, that the Act would be rigidly and firmly maintained. The events of the last three years tested the value of the measure; and he was satisfied that in that measure a large proportion of those most competent to judge concurred. He utterly denied that the Act of 1844 was restrictive of the currency of the country. Under that Act the currency was made to expand to its utmost extent. All that was done was to prevent an unhealthy and fictitious expansion. It was perfectly idle to think of excluding the consideration of the contract with the Bank of England from any discussion upon the working of the Act of 1844; and he would remind the House of the vast powers wielded by that establishment. The Bank of England was, first, the Bank of the State; next, it had the exclusive issue of notes in the metropolis, and within a radius of sixty miles. The Bank of England issued more than one-half of the entire paper currency of the country. In its private province its capital for banking purposes was between thirty and forty millions. With these facts before the House, it was idle to think of stopping discussion upon the contract of the Bank with the public, especially as the results of its working for the last twelve months, showed that some interference was necessary. He was of opinion that much of that period of difficulty was attributable to the mismanagement of the resources of the Bank of England. He gave the Directors full credit for the best intentions; but they had made considerable mistakes in their management; and in his opinion, first between January and April, and next between August and October, they had highly aggravated, if not wholly produced the pressure of those periods. He implored, however, individual Members of that House not to encourage by unguarded language hopes and expectations on the part of the public which could never be fulfilled. To do so, would have a tendency to induce a belief among the mercantile and manufacturing classes that it was in the power of the House to add to the available capital of the country, whilst it was only by the exercise of industry and care that it could be obtained. In conclusion, he had only to say, it was impossible to avoid thinking that the monetary system of the country must be unsound in some essential particulars, when it permitted the continued existence of houses which for years had not been in a solvent condition.

Mr. MASTERMAN said, it was not his intention to occupy time by entering into the various details which might be given of the existence of commercial distress. Many reasons might be stated, which in some measure had contributed to that distress; but as it would be the duty of the Committee to take that subject into consideration, the proper time for discussing it would be when the Committee had made their report. He should not, indeed, have risen, if he had not noticed with considerable regret the remarks which had fallen from the hon. Baronet the Member for the Tower Hamlets, who had so underrated the act of the Government in their letter of the 25th of October, that he was anxious to bear his testimony to the credit the Government deserved for interfering at that moment to prevent the fatal calamities which must otherwise have occurred. He believed the country never was in a more painful position than it was previously to that letter. It was his duty, along with some other Gentlemen, to have an interview with the noble Lord at the head of the Government, and they recommended strongly—he hoped properly too—to the consideration of the Government the situation of the Bank. There was an apprehension that no money was to be found there, yet that the panic existed without a real cause. There was plenty of money out from the Bank, and the noble Lord at the head of the Government put this question—"Have you not a large amount of notes out in circulation?" His answer was, that there was a large amount of notes out, but they were not in useful circulation; that the panic was such, that notes were locked up in all directions, not available to those who required them. He as-

sured the House, that in advocating the expansion of the Bill of 1844, he had no desire or intention to encourage speculation, or to support those houses which had no right to support; but because it had been his lot to observe with deep regret so many men having securities, upon which at any other time they could command money, completely paralysed. After what had fallen from the hon. Member for the Tower Hamlets, he felt anxious to pay his tribute of respect and thanks to the Government for the manner in which they had acted on that consideration. He would say but little more, though he was not giving his reasons for the present commercial distress, except that it was pretty well known he had never been in favour of the Bill of 1844. The Bill might be very good, or it might not; of that he was no judge: whether it was sufficient or not, he was not able to say; but he was certain no man was bold enough to say that fourteen millions was the exact amount required for the circulation of this country. He would ask his right hon. Friend the Member for Tamworth, whether he would not be inclined now to support an expansion of the Act of 1844 in case of necessity? Let the Bank have power to issue a greater sum than fourteen millions with the sanction of Her Majesty's Government. He had ever maintained that opinion, and he was convinced that the Bill could no longer work of itself. The alarm in the public mind had been allayed to a considerable degree by the letter of the 25th of October; that letter was now withdrawn, and a Committee of Inquiry was to be appointed. No person could tell how long that Committee would sit; therefore he hoped that in the meantime some resolution would be adopted by the House, whereby the public would know that the Bank might issue more notes, provided they had the sanction of the Government.

Mr. BLEWITT said, he had given a notice with a view to introduce such an Amendment, and he hoped that the hon. Member for the city of London would support it. With regard to the discussion before the House, he considered himself entitled to offer an opinion, as he had considerable experience in commercial matters; and he believed it to be one of the most wicked and mischievous Acts that had ever passed that House. It was a piece of banking mechanism, invented by Mr. Jones Loyd, which adjusted itself, and which might be called a money-meter. Never did so pompous a scheme end in so miserable a failure. This wonderful invention had produced such dreadful effects, that he might with great truth call it the infernal machine, which, by its explosion, had mangled trade, prostrated commerce, annihilated credit, and spread through the length and breadth of the land universal terror, misery, and confusion. He wished to call attention to a speech delivered in 1819 by the right hon. Member for Tamworth, which bore materially on the question before the House. The right hon. Baronet, in introducing the resolutions which were the foundation of his Bill in 1819, said—

> "It is impossible to prescribe any limitation to the issue to be brought into operation at any period, however remote. The quantity of circulation varies so materially in periods of depression and of prosperity, that the House must be aware of the impossibility of fixing on any prescribed limits."

Now, this reasoning appeared to him (Mr. Blewitt) quite as conclusive in 1844 as in 1819; yet, in 1844, the right hon. Baronet introduced a limitation at variance with the arguments, so consistent with reason and common sense, that he used in 1819. In 1844, the right hon. Baronet assumed as an admitted principle that the Bank regulated its issues by the price of gold and the rate of foreign exchanges—an idea which, it was stated before the Bullion Committee in 1810, had never been heard of, and which excited general astonishment among the witnesses when the question was proposed to them. The Bank then acted on a principle which had been handed down from their predecessors for more than a century—a principle under which legitimate commercial bills, drawn on the merchants of London, were always discounted, and which they never dreamt of refusing because foreign exchanges were adverse or the price of gold was high. This foreign exchange principle, on which the right hon. Member for Tamworth founded his Bill of 1844, was never heard of before it was introduced in 1810 by Mr. Horner. The merchants of the city of London were happy under the paternal fostering influences of the Bank of England; but since the Bank had fallen under the management of the right hon. Baronet the Member for Tamworth and that House, he could only say—

> "Fortunati nimium sua si bona norint."

He could not conceal the disgust he felt at seeing the Bank compelled to rule its con-

duct by such a principle. The hon. Member read extracts from the evidence taken in 1841, by which scarcity of money, scarcity of food, commercial failures, merchants and manufacturers being compelled to reduce their transactions, workmen out of employ, were attributable to the effects of the Jones Loyd system. Did they want to know more than that? Was not that proof positive that the present commercial distress was the result of the Bank Charter Act? Indeed, it was the object of the Act to produce it. It was quite clear that, from whatever causes it might be produced, the panic was considerably increased by the refusal of the Bank to discount legitimate commercial bills; and that it was afterwards allayed by a letter written by the Chancellor of the Exchequer to the Governors of the Bank. When that letter was written, had the potatoes emerged from their rottenness to supply the deficiency of that article of food in 1845 and 1846? Had the money expended on railroads unfixed itself, and returned into the ordinary channels of floating capital? Had the mercantile houses which had failed arisen from their ashes, and were proceeding as if nothing had happened to their credit? Had the 33,000,000*l.* exported for corn come tripping back to the magic dictation of Wood the Enchanter? No; nothing of the kind had taken place. The Act was suspended, and from that moment confidence was restored; and if all did not now go "merry as a marriage bell," the bell of commerce had at all events ceased to toll its funereal note. He had intended to go into other parts of the question; but he really felt that he had no right to trespass further on their attention, unpretending as he was in talent, and unaccustomed as he was to speaking in that House. [*Interruption.*] He did feel that he was trespassing on their attention at too much length, and he therefore had better—

["Go on, go on!"] He had intended stating to them what were his views with regard to convertibility—and he was afraid that if he attempted to do so, then he should require more time than they might be disposed to grant to him. He apprehended that by the ancient common law of this realm every man who contracted an obligation was bound to pay the obligation in the legal coin of the realm. A Bank of England note was of course such an obligation, and the meaning of "convertibility" was, he apprehended, the payment of such a note or obligation according to the requirements of the law. When the Bank of England was established in 1694, it issued notes for 20*l.*, which at that day represented four hundred shillings. In 1715, the guinea coin in gold, which represented twenty-one shillings, was issued. In 1744, a law was passed, which legalized the payment of an obligation in silver. In 1817, the sovereign was issued, and declared to be a legal representative of twenty shillings. It would be seen by this short history of the matter, that the system for which the right hon. Member for Tamworth took so much credit, had been in operation for the last 150 years. The right hon. Baronet had no ground for saying that his Bill of 1819 restored the ancient value of the standard; for it appeared clear that up to 1774 all the obligations of the kingdom, including Bank of England notes, could have been paid either in gold or silver. From 1774 to 1797, any obligations which did not exceed 25*l.* might be paid in silver; and it was not until 1819 that gold became the exclusive standard. Many writers on political economy—Locke, he believed, particularly—recommended that gold pieces should be issued of a certain weight and fineness, and that those pieces should be allowed to find their level in the money market. Now, he believed that that was a system which had been adopted in several countries on the Continent, and that it had been found to answer remarkably well. In this country we talked very much about gold; but, for his own part, he did not see why silver should not be as good as gold; at all events, he did not see why silver, which was a metal more easily procured than gold, should not be our standard of value, leaving gold to find its level in the market. However, he did not suppose that it was possible by anything that the most eloquent man could say in that House, to convince a large portion of its Members that any alteration ought to be made in what they called the gold standard. It appeared from the Bill of 1819, that the right hon. Baronet not only would not accept silver as a standard, but that he had positively an aversion to it. He would not have it at any price. The right hon. Baronet had laid that down as a principle; he said that the Bank of England should not hold more than one-fourth part of its reserve bullion in silver. Supposing the gold in the Bank of England in the first instance to be 10,000,000*l.*, and supposing that afterwards to be reduced to 5,000,000*l.* 2,500,000*l.* was the fourth of 10,000,000*l.*,

and that would be in silver. Well, now, he would rather have silver for his notes than have a return of *nulla bona*. But there was another very remarkable provision in this Act of 1844—this very perfect measure of the Legislature. It stated that all persons should be entitled to demand from the issue department of the Bank of England Bank of England notes in exchange for gold bullion at the rate of 3*l*. 17*s*. 10½*d*. per ounce standard gold. Now, he could conceive no reason for that. Why should it be compelled to purchase gold bullion to carry on the speculations of a bullion broker? They had been told that night, he believed, by the hon. Member for Bridport, of the immense amount of gold bullion belonging to the Emperor of Russia. Now, supposing the Emperor of Russia should take away his bullion, and exchange it for iron rails, or any other article produced in this country, he did not know of what service the gold bullion would be in the vaults of the Bank of England, except to minister to the diseased fancies of the bullionist. He could not conceive, for the life of him, whence arose that extraordinary dread and alarm that existed in this country with regard to the exportation of gold. They all knew that gold must be bought before it could be sold; it must be imported before it could be exported; and he imagined that, in the ordinary course of commerce, there was as much profit in purchasing and selling gold, as there was in any other commodity, and that the nation would be just as much enriched by purchasing gold as by any other commodity. He could not, therefore, understand the cause of the public alarm on that point. Certainly a bad harvest was a serious calamity; and the deficiency in the food must be restored by a diminished expenditure and increased industry. A bad harvest caused so much to be taken from our previously accumulated wealth as was required to purchase the deficiency in the crops. That, of course, was a subject of regret; but what was the course which they should pursue in order to regain their former position? By bewailing their condition, and crippling their industry? No: on the contrary, they should immediately set about repairing the loss, and giving as much encouragement as possible to the industry of the country. He believed that that was the true principle to act upon, and that the man who departed from it was guilty of egregious folly. When they considered what convertibility was, it turned out that it implied the ability of the Bank of England at all times to pay coin for its notes on demand. And what did that amount to? Why, the Bank of England was told to put into their banking department a sufficient reserve of coin to meet all their liabilities, to the amount of 38,000,000*l*. And what did they do? Why, they put by 858,000*l*., and that had been found amply sufficient to meet every obligation. They never wanted any more; and he believed that, on the average, during the last few years, they did not keep more than 617,000*l*. in their coffers. He wished a provision to be introduced into a Bill which might be introduced hereafter on this subject, which should authorise the Bank to increase its issues on securities deposited at the Bank. He sincerely trusted that the House would sanction such a provision. He was sure that it would be satisfactory to every person out of doors; and as regarded the proceedings of the Committee, he could only hope that they would suggest such alterations in the banking laws as should enable the merchants and manufacturers of this country to enjoy the credit which they had hitherto been accustomed to enjoy, and which had, in such an eminent degree, made Great Britain the emporium of the commercial world.

Debate adjourned.

House adjourned at Twelve o'clock.

HOUSE OF LORDS,

Friday, December 3, 1847.

Minutes.] *Took the Oaths.*—Earl Nelson.

Petitions Presented. From Dean and Clergy of Wakefield, against the Admission of Jews in Parliament.

THE STATE OF IRELAND.

The Duke of RICHMOND said, that in pursuance of the notice which he gave last night, he now rose to move for a return of the number of persons that had been tried under the 13th Clause of the Insurrection Act, 3rd and 4th of William IV., cap. 4. That Act of Parliament, after being carried, remained in force twelve months, and he believed two months more. The object of that Act was this—there was found at that time in Ireland the greatest objection on the part of jurors to give true and honest verdicts. He did not mean to say that such a difficulty existed now; but he wished to call their Lordships' attention to one clause in the Act, because he thought it would be well for the people of Ireland to remember, that,

if they did not do their duty as jurors, and if any intimidation was held out to jurors or witnesses, we had the experience of that Act before us, and that if the Government found that their present measures would not be strong enough (as he feared would be the case), Her Majesty's Ministers would not hesitate to come to Parliament for additional powers. The general defect of the clause to which he alluded was this—timid jurymen were afraid to find a man guilty of a murder in any case, because, if they did so, they would expose themselves to be put on the proscribed list, and a sentence of death would only be too quickly carried out against them. He believed the moment that Act of Parliament was promulgated—the moment the people found that the Lord Lieutenant had the power of establishing these courts-martial, the offence entirely ceased, and, in fact, these courts-martial never sat at all. Unquestionably that law was a wise one, for, by giving stringent powers to the Lord Lieutenant, the people were made to obey the standing law of the land, without any recourse being made to these extraordinary powers. It might be asked, why did he—one not connected by property with Ireland—now rise up in his place, and take up this which might be supposed by some to be an Irish question? He considered it a question affecting the best interests of the empire at large; and he felt it his duty to do his utmost to prevent that unhappy country from degrading the realms of our gracious Sovereign. When persons' names were put down—the names of the most intelligent, the best, the most honest in the land—for assassination and murder, and when they were assassinated only because they had given offence to some particular class of individuals in that country, he must say, that the state of society there, and this system of Ribbonism, appeared to him most alarming. There assassinations were perpetrated, and not by persons residing in the neighbourhood, but by strangers who came from a distant part of the country to do the diabolical work of their employers. Ireland never could be a prosperous country unless Parliament took care that life and property should be held sacred there. Could any one expect that British capital could flow into that country, or that it could be applied to bring into cultivation large tracts that might be cultivated, whilst there was such a total absence of all confidence? Who but a fool would take his money into a country where he could not apply it as he pleased, and where there were a hundred chances to one that his agent would be shot if he protected him from being robbed and cheated? He felt that, laying aside all party feeling, they should all join heart and hand to take care that the law should be maintained in Ireland. He thought the Irish, if they were in earnest—if we told them that if they committed an offence, they should certainly be punished—he thought they would be apt to obey the law, and that again that country might be called a civilised one; for he could not consider a country civilised which required the presence of so large a standing army, and such a large number of police; and, notwithstanding which, the law was openly violated in the brightest hours of the day. It was fortunate that the present Lord Lieutenant was a man of great humanity and firmness; and he, for one, would most willingly give him the most arbitrary powers, because he was certain that he would never abuse them. It was with this feeling, and not with the slightest intention of making an attack on Her Majesty's Government, that he moved for those papers, which he believed would show to their Lordships and to the people of England, that when Parliament passed a stringent Act, then the Irish took care that it was not put in force by obeying the existing law as it stood. The noble Duke concluded by moving for the papers.

The MARQUESS of LANSDOWNE: My Lords, I have not the slightest objection to the return for which my noble Friend has moved; but, at the same time, I must be allowed to express my assent, and to say that I cordially concur in the greater portion of what has fallen from the noble Duke; for I consider that the state of particular parts of Ireland is disgraceful, not only to that part of the United Kingdom, but disgraceful even to this part of the United Kingdom—disgraceful to the Government and the Parliament under which it exists, unless the most prompt and efficient measures are taken by them to remedy it. It is obvious that no capital can be expected to flow into those parts of Ireland; but there are other parts in which I now will say the evil does not exist. Your Lordships and the other House of Parliament are too well aware that no plan, no scheme, can be adopted for the improvement of the social condition of that country which does not require, as an indispensable accompaniment, the restoration of that security for life which unhappily does not exist in some

parts of that country. If those measures which will shortly be brought under the consideration of your Lordships, should, unfortunately, be deemed insufficient, still I am authorised to state that the able and distinguished individual, the present Lord Lieutenant of Ireland, is of opinion that they will arm him with sufficient powers to enable him to make a successful attempt to put down the state of things which exists in that country; but this I must add — if, unhappily, contrary to my noble Friend's hope, and contrary to my hope, these measures should prove insufficient for the purpose for which they are intended, then I can confidently state to the noble Duke that Her Majesty's Government will not be slow to ask for additional powers; and I am bold enough to say, that I think Parliament will not be slow to confer those powers, when it knows that they are necessary for an object, which, by every means in our power, both morally and politically, we are bound to effect.

Returns ordered.

House adjourned.

HOUSE OF COMMONS,

Friday, December 3, 1847.

MINUTES.] PETITIONS PRESENTED. By Lord A. Lennox, from Plymouth, for Abolition of Freedom from Arrest. —By Colonel Salwey, from William Kinnersley, of Ludlow, for Abolition of Church Rates.—By Mr. Broadwood, and other Hon. Members, against Removal of Jewish Disabilities.—By Sir R. H. Inglis, from Durham, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland); and from Chester, for Repeal of Tithes Commutation Act.—By Mr. Scholefield, from Birmingham, against the Crime and Outrage Bill, and for Measures of Amelioration (Ireland).—By Sir R. H. Inglis, from Clogheen, for Alteration of Poor Law (Ireland).—By Mr. A. Hastie, from Glasgow, for Inquiry relating to Turnpike Roads (Scotland).

RAILWAYS BILL.

On the Order of the Day for going into Committee on the Railways Bill being read,

COLONEL SIBTHORP considered that it was rather late in the day for such interference as would be effected by this Bill; but men might learn wisdom from experience, and he thought the Chancellor of the Exchequer had now found out what he anticipated long ago—that railway speculation had had a very considerable effect in producing the commercial distress which at present existed in this country. He had always anticipated that great evils must arise from the hasty and unconcocted measures of railway extension. He was most anxious to lend his aid to forward any measures which would tend to promote the welfare of the country; but he had always apprehended that great evils would arise from those dangerous and delusive schemes which interfered very materially with the interests of private property, and which placed persons who, by their industry, had accumulated a little property, at the mercy of irresponsible and tyrannical bodies of men. The most extensive powers had been granted to these irresponsible companies, which consisted of men of all classes—of some men great in substance —and of some who had capital, and others who were mere shadows—of some without a shilling in their pockets, mere gamblers, and who hoped to get rich by the loss and ruin of other individuals. He had seen in that House, after twelve o'clock at night, when there were only fifteen Members present, some yawning, and some half asleep, measures of the greatest importance with reference to railways agreed to. He wanted to know what Parliament was now going to do with regard to this subject. There were some gentlemen connected with railways for whom he entertained the highest respect; but "evil communications corrupt good manners," and it often happened that a man who sat down at a gaming table without the slightest intention of playing, took up the dice or cards, and became *particeps criminis* with the rest of the company. The Chancellor of the Exchequer now proposed to extend the time allowed for the completion of railway works for two years beyond the time originally allowed; but he wished the right hon. Baronet would tell the House whether he might not afterwards allow a still further extension—whether he might not give two years more, and two years to that—

"Rusticus expectat dum defluat amnis; at ille
Labitur et labetur in omne volubilis ævum."

He saw that the right hon. Member for Derby (Mr. Strutt) had given notice of a clause to provide that, in awarding compensation to the owners or occupiers of land taken or used for the purposes of railways, the persons by whom such compensation was awarded should, in estimating its amount, have regard to, and make compensation for, the additional damage, if any, sustained by reason of the extension of time for the completion of the works. But he thought the House ought to be told to what extent compensation was to be given, and, above all, when it was to be given. Some of his property had been taken possession of by a railway

company; but he had been unable to obtain payment for it. He was not, however, actuated by any selfish motives in complaining of the conduct of the companies; but he did say that the measure now proposed by the Government was still more unsatisfactory than the original Railway Acts. The clause of which the right hon. Member for Derby had given notice, applied solely to the owners or occupiers of land; and no compensation could be claimed or obtained by a person who had a small cottage, without any land, which might be required for the purposes of a railway company. He must say he considered that this Bill was most imperfect, and was of a doubtful and suspicious character. This Bill ought to be carefully watched; it looked like a measure brought in by a Government relying on its own strength rather than on the justice of the case. The Committee on the Bill might properly be postponed a little; the House was anxious to resume the adjourned debate, and the Bill was shovelled forward by the Chancellor of the Exchequer to pass almost *sub silentio*.

House in Committee.

Clauses to the 6th inclusive agreed to.

On Clause 7, providing for compensation to landowners aggrieved by the delay,

The CHANCELLOR OF THE EXCHEQUER proposed to omit this and the next clause, and substitute one in a new form, providing that when compensation should be assessed for the land required for the railroad, regard should be had to the additional damage (if any) caused by the extension of time granted by the Railway Board.

MR. HENLEY objected that this would allow no compensation for the extension of time where the landowner and the company had already agreed upon terms, where the bargain was "a fact accomplished," where the company had got possession, and would expose the landowner to all the nuisance of a public thoroughfare.

MR. W. MILES felt convinced that some railway proprietor had had a hand in the preparation of this clause which was proposed to be submitted.

MR. HUDSON would not deny that he was one of the parties who suggested this alteration; but it would not affect any undertaking with which he was connected. If he had any interest, it was in throwing obstacles in the way of companies that might claim the advantage of this Bill; but he advocated the proposed clause because he thought it was fair and right. Nearly the whole expense would have to be paid by the companies, and if the Bill were to stand in a different shape, attorneys would be requiring a jury to assess compensation for the delay in reference to small pieces of land, and there would be such a harvest for the lawyers as the Legislature never before gave. The object was said to be to ease the money market by extending the time for the construction of works; for his own part, he thought that railways would have been better left to themselves, and many bad companies would have fallen through; he believed the Bill would do harm rather than good; but he must admit that the public feeling was against him. At any rate, however, the Bill would make a greater concession to the landowners than was ever made before. He never found he could get possession of any land without paying for it; and most probably in the case of the gallant Colonel (Colonel Sibthorp) some difficulty had arisen on his part; and if he would look into the Court of Chancery, he would find his money there. If a company had made a contract to pay a certain sum on a certain day, this Bill would not release them from it; and justice was due not only to the landowner, but to those who had invested their capital in these undertakings, and to the public, who were to have the advantage of them. The companies ought not to be harassed, nor their money frittered away in law.

The CHANCELLOR OF THE EXCHEQUER said, there was no alteration made in the nature of the clause; that was to say, no claim for compensation was given in the substituted clause to parties who were not already entitled to it. All that was intended to be enacted was, that any one who should have to decide upon any claim arising out of the Railway Act, should take into consideration any claim that might arise out of this Act, and award additional compensation. The object of the substituted clause was to comprise the two clauses (seven and eight) into one clause, and to put it more neatly, so to speak.

MR. AGLIONBY observed, that railway legislation had hitherto failed of accomplishing all the good that the public were entitled to expect in return for the many privileges that were conceded to the beneficiaries of those great undertakings. The utility of railways could not for a moment be disputed; but he was sorry to think that the directors were far from being actuated

by a liberal spirit as regarded the accommodation they were willing to afford to the humbler portion of the community. Great efforts had been made to secure a third-class train of carriages for the special use of the labouring population; but, although such carriages were, in the strict meaning of the word, provided, yet they were subjected to so many inconveniences, both as regarded the hours of starting and the stoppages, that the benefit was almost neutralised. As regarded Sunday travelling, that in many instances was totally denied to the humbler classes. He would not mention any particular railway; but it was well known that in many instances it had occurred, that where property had been purchased by railway companies, under the assurance that stations should be established, and where parties had disposed of their property on the faith of those assurances, and had given up the accommodation of travelling which they already enjoyed, the railway directors had no sooner obtained possession than they abandoned their original undertaking, and left the parties without any railway accommodation at all. He could mention an instance in the case of a railway not very far from London. He meant the Brighton Railway, and the position was where the road diverged to Godston, from the Brighton Railway. Forty coaches used to run on that road, and a railway station was established there, and existed for five years. Property was purchased in the neighbourhood upon the faith that that station would remain; but what had happened? Within the last month the whole of the neighbourhood had been deprived of that accommodation.

The ATTORNEY GENERAL thought that, instead of discussing the construction of the clause, it would be far better for the Committee to settle the principle upon which the clause should be framed. There appeared to be three classes of landowners whose interests were to be considered. The first were those who had made agreements and had received their money, but had not given up their land. These clearly could not be entitled to compensation. The next class were those landowners who had made their agreements, but who were to receive their money when the land was delivered up; and the third class were those landowners with whom agreements would be made after passing this Act. Now, it was for the Committee to determine whether the compensation was to apply to all three classes, or to the last two, or to the last class only. He conceived it would be better to determine that question before they entered into a discussion upon the construction of the clause,

Sir G. GLERK thought it would have been much better if the Government had framed the clause in such a manner as not to have left the Committee in doubt whether they intended to compensate all three classes of landowners enumerated by the Attorney General, or only two or one of those classes. It appeared to him that those parties who had already entered into their agreements were entitled to claim damages for the injury they would sustain by reason of the delay in the completion of their contracts.

Mr. MUNTZ observed, that much injury might be sustained by a party in this way—suppose a portion of land in the neighbourhood of a factory had been purchased by a company, and notice already served on the party to give up the land, in consequence of which it had been found necessary to erect new buildings, and the necessary contracts were entered into for that purpose; then suppose that, under this Act, the railway company delayed taking that land for two years, would not the party be thereby prevented carrying out his new works? In such a case, the party would be unquestionably entitled to compensation.

Mr. HUDSON clearly understood, that where the company had given notice of their intention to take the land, they must go on with the work notwithstanding this Act. Having given such notice, this Bill did not give the company a power to extend the time for taking the land.

Mr. STAFFORD remarked, that one of the Members who had not addressed the House on the present occasion was the right hon. Member for Derby, whose name was printed on the back of the Bill as one of its authors. It was not unreasonable to expect that the right hon. Gentleman should explain the meaning of the two clauses to which the attention of the Committee was directed, and that he would so far improve upon the statement of the Attorney General as to declare which of the three courses referred to by the hon. and learned Gentleman the Government would adopt.

Mr. STRUTT said, he understood that it was intended by the amended clause to convey the meaning of the original clause in an improved form. He could assure the

Committee that the clause had not been altered in order to suit the views of the right hon. Member for Sunderland.

Mr. HENLEY thought that the best course which could be taken would be for the Committee to agree as to the principle which should be acted upon, and leave the Government to embody it in a fresh clause. It was desirable that all the three classes of landholders should have the benefit of compensation; and he was sure that if the principle of compensation should be adopted, no damage would be done, because, if the railway companies should suspend their works, they would erect proper fences to guard against trespassers. He advised the Government to withdraw both clauses, and to bring up a new one embodying the principle of compensation in the report.

The CHANCELLOR of the EXCHEQUER understood the principle of the original clause to be this, that no landowner not in the situation of a person who would receive notice to offer opposition to a Private Bill for an extension of time, should be entitled to compensation under the present Bill. If the Committee were of opinion that the amended clause did not carry out that principle, he had no objection to frame another clause in which it should be more precisely embodied.

Mr. SCOTT approved of the course suggested by the Chancellor of the Exchequer.

Mr. WOOD said, that there were many cases in which landholders might be entitled to compensation; for instance, a person might have sold his land on condition that a station should be made upon it within a certain time. He was inclined to support the proposition to give compensation to every person who should have a *locus standi* before a Committee on a Private Bill for an extension of time.

Mr. HENLEY had no objection to limit the compensation to every person who would have a *locus standi* before a Committee on a Private Bill.

The CHANCELLOR of the EXCHEQUER said, he would accede to the hon. Member for Oxford's proposal.

Mr. RICARDO informed the right hon. Gentleman, that by adopting the principle which had been enunciated, he would endanger the Bill. No railway company would apply for an extension of time, if that application would involve the reopening of the whole litigation with the landlords. All the attorneys in the country would be busy in getting up actions for compensation; and if the damages in any case were laid at only 5*l.*, directors would gladly give 100*l.* to avoid going before a jury, or a reference to arbitrators. The whole railway interest would now oppose the Bill, and the Government would find they had raised a monster which they could not easily lay.

Bill went through Committee.

The House resumed. Report to be received.

COMMERCIAL DISTRESS—ADJOURNED DEBATE (THIRD NIGHT).

The Order of the Day for resuming the Adjourned Debate on the recent Commercial Distress, having been read,

The Marquess of GRANBY expressed his fear that the speech of the Chancellor of the Exchequer would not have the effect of restoring confidence to the commercial classes. The Committee would be composed of the most discordant elements, and they were not likely to make their report, or if they made any report, it would not be till after a considerable lapse of time. From the manner in which the Chancellor of the Exchequer had spoken of the Bill of 1844, it might have been supposed that it had existed for half a century. That Bill had lived for three short years, and was adopted by the right hon. the Chancellor of the Exchequer; but he was obliged to disown the adopted child in the year 1847. He said the circulation was paralysed by the state of alarm that existed, and the interference of the Government provided relief. Was not that a distinct admission that the Act of 1844 had caused the pressure and panic? If you felt a pain in your foot, and by taking off your boot you relieved it, would not that prove that the pain was the consequence of the pressure and tightness occasioned by the boot? The right hon. Gentleman went on to say, that, although a relaxation of the Act of 1844 was recommended, yet the Act was not violated. It was impossible to afford a greater proof of the mischievous operation of that Act than the fact that, when it was relaxed, the relaxation did not increase to any great extent the circulation of notes. The right hon. Gentleman went on to blame the Bank Directors for not having, until the beginning of January, raised the rate of discount. At that period they raised it to $3\frac{1}{2}$ or 4 per cent. It was difficult, however, for the Bank of England to effect any good at the beginning of a drain of

the precious metals. It was not until the panic had proceeded for some time—until the public were obliged, in consequence of being unable to get their bills discounted by the brokers, to go to the Bank—that the Directors of that establishment could affect the circulation of the country. By the Act of 1844 the banking department of the Bank of England was relieved from the necessity, which it before exercised, of watching over the interests of the country. That department was told that henceforward it was to consider itself in the same light as any ordinary bank of issue. That being the case, they were bound to look to the interests of their proprietary. The Bill of 1844 tied them down in certain cases, and deprived them of all freedom of action. In the words of Lord Ashburton—

—"it became a question between limitation by rule, and limitation by discretion. The limitation by rule would act only in a state of things as invariable as the rule itself."

The right hon. Gentleman went on to say that he did not attribute the distress of the country to the Act of 1844, but to the want of capital; and that that want of capital arose from the immense extension of railways in the country, and the great importation of foreign corn that had taken place. He (the Marquess of Granby) did not believe that the capital expended on railways was lost or withdrawn from the circulation of the country; but he did acknowledge that the exportation of thirty-three millions in bullion to pay for foreign corn, was a very great evil. On this subject there had been some misapprehension as to what the party to which he had the honour to belong had stated. The hon. Member for Surrey remarked, last night, that that party regretted that corn came into this country during a time of famine. He believed that no expression of the kind fell from any one of that party. What they had contended for was, that, if the corn laws had not been repealed, the same amount of corn would have been admitted under the circumstances; but that, whenever admitted, it would be paid for by bullion, and not by our manufactures. And now that their words had proved true, they pointed to the fact, and reminded the country of the evil. But it was said, though this might be the case now, in the time of famine, it would not be so generally. He presumed it could not be meant that it could make any difference whether the importation took place in consequence of a diminished crop grown on a certain number of acres, or whether from a diminished supply in consequence of fewer acres being under cultivation, though the crop per acre might be an average one. What must be meant, therefore, was, that the countries from which we imported the corn, in consequence of the suddenness of the demand, had not time to prepare to take our manufactures, and were therefore obliged to take our gold; that America said, "We are very sorry we cannot take your manufactures at present; but give us a little time, we will blow our furnaces out, and destroy our manufactures to make room for yours." But, he would ask, was there any likelihood of their so doing? Did any one really and truly believe that America would exchange her cotton for our manufactures? Mr. Spackman, in speaking of America, said—

—"that although naturally preferring agricultural pursuits, the rapid increase of her population caused her to turn her attention to that which was the natural production of her own soil. Not only did she make wonderful progress in the manufacture of cotton goods, but it was the intention of Congress to increase the import duties in order to pay the expenses of the war in Mexico. This was indicative of her policy to protect herself by all means in her power. In addition to this, her discoveries of coal and iron opened up a new branch of industry to her which bid fair to interfere with an important item of our exports to that country."

There was also a passage in the *Times*, to which he would beg the attention of the House:—

"The first bar of American iron was made in 1844, and now an American paper said, 'it was made at the rate of 120,000 tons per annum. This would lay four miles of railway per day, or 1,200 miles per year, and hence the prospect of any large importation of iron from Great Britain could hardly be looked for.' In Pennsylvania the anthracite coal, which abounded, stimulated several branches of manufacture. One iron manufacturer in that State consumed 50,000 tons of anthracite and 100,000 bushels of bitumen coals every year."

Was it to be supposed, then, that America would encourage the manufactures of this country in preference to her own? He thought he could prove from the speech of the right hon. Gentleman himself, that the cause of the distress in the country was not the want of capital. The right hon. Baronet had stated very truly that no measure of the Government could increase the capital of the country. Of course it could not. But, almost in the same breath, the right hon. Gentleman took credit for the suspension of the Act of 1844, which

suspension he said had the effect of mitigating the panic and relieving the country. It was not then the want of capital that occasioned the distress and panic; it was the want of confidence in the Act of 1844. The objection to the corn laws was not that foreign corn would not be admitted during famine prices, but that in consequence of the fluctuation of prices the merchants of this country would not run the risk of bringing it into the market. He believed, however, that the fluctuations in price had been much greater since free trade had been established. Last year the price of corn varied from 40*s.* to 120*s.*, and so much variation, or anything approaching to it, had never taken place before. The right hon. Baronet went on to say, that amongst the earliest and most numerous failures, were the corn factors. He might add to them the merchants engaged in the East India trade; and was not their failure, he would ask, owing to free trade, to the competition which they were obliged to enter into with slave-grown sugar? He held in his hand the contract of the Grantham union, which contained the prices of different articles in October 1846 and 1847. From that contract he learned that the price of sugar was 6*d.* a lb. in Oct. 1846, and the same in Oct. 1847; so that, while Parliament was ruining the colonies and our merchants, it was not benefiting the labourers by its measures. The right hon. Baronet prided himself on having 8,000,000*l.* of bullion in the Bank of England. Of what use was that, when no one could touch it? It would be as reasonable to boast of having in a time of famine 8,000,000 quarters of grain in the Tower, whilst the people were famishing for the want of it. He thought that instead of endeavouring to contract the circulation when gold was required to pay for our imports of corn, we should rather endeavour, by every means in our power, to make the gold in the Bank of England available for the purposes of the country; and we should also increase our superstructure of paper money, so that we might have the larger quantity of gold to pay for our imports. We had lately made a great experiment in this country, by adopting the principle of free trade. That experiment had proved most injurious. It placed our own countrymen, who were saddled with the burden of taxation, in competition with untaxed foreigners, and we had also given foreigners the means of using whatever peculiar advantages we possessed. While we provided for taking whatever the foreigner might choose to send us, we omitted to stipulate for the privilege of sending, on the same terms, our own products to the foreigner. He would now ask those who advocated that experiment, on the ground that it would relieve commerce and untie the strings of trade, to join with him in entreating the Government of this country to untie the hands of our manufacturers—to free the commercial classes of this country from the incubus now weighing upon them—to do something more for them than institute a useless inquiry. The mercantile community of this country were in want of immediate relief, and to tell them that they could not get relief until this Committee had reported, was to slight and overlook the most important interests of the country. He would entreat the Government to remember the failures that had already taken place — failures amounting to 15,000,000*l.* or 16,000,000*l.* He would entreat them to remember that it was not only the merchants and great traders who were ruined by the Bank restrictions, but to them all classes in this country, down to the smallest trader, owed their sufferings. He had been told that of seventy houses in the East India and China trade, seventeen would not survive the present crisis. The noble Lord (Lord John Russell) stated, the other night, that the energy of the people of this country would enable them once more to surmount their difficulties, and that the Government, though they would not assist them with their wisdom, would go along with them. He hoped that the noble Lord would not depend too much on the energy of the people of this country as a means of repairing our present commercial calamities; but that he, as the head of the Government, would, as it was his duty in all our great national emergencies, not only go along with the people in their endeavours to restore their former prosperous position, but would lead them, and do his utmost to remove the difficulties and dangers at present existing in the commercial world. Then would he, in common with the noble Lord at the head of the Government, have confidence in the energy and resolution of the people of this country. Before he sat down, he must say, that if the noble Lord were determined to turn aside from the prayers of the people—if he were determined not to listen to those cries of distress which were arising from all parts of the empire—he,

for one, would not consent to go into a Committee of Inquiry—he, for one, would not consent to postpone affording relief to the country until that Committee had presented its report, as he did hope and believe that some definite proposition would be made by his side of the House to give immediate relief to the incubus imposed upon the commercial classes by the Act of 1844.

Mr. F. T. BARING said: Among the advantages which I hope will be derived from this discussion, one is, that it has already brought before the House the hon. Member for Westbury (Mr. J. Wilson). That hon. Member has spoken so clearly and ably on an intricate subject, that he will always command the attention of the House; but I think that the Amendment which he has moved on the Motion of the Chancellor of the Exchequer is, in some degree, unnecessary. If the hon. Member had had more experience of the practical working of Committees, he would have been aware that it is impossible to limit any inquiry that may be undertaken by the words in which the subject may be referred. In this case, practically, the inquiry will extend to the same range and embrace the same points, whether the words adopted in referring the question are those suggested by the right hon. Gentleman the Chancellor of the Exchequer, or those proposed to be substituted by the hon. Member for Westbury. Any discussion, therefore, of this point, as to whether or not the Amendment is an improvement on the original Motion, is of very little practical consequence; and as the fullest and most ample inquiry is desired, the wider reference to the Committee ought, I think, to be decided upon. I am not very critical on the language; but if I was to object at all, my objection would be that there is no distinct reference to those letters of the noble Lord and right hon. Gentleman which have been the cause of our being called so early together. The Government undertook a very grave responsibility in suspending the operation of an Act of Parliament; no doubt their conduct must incidentally come before the Committee to be appointed. But I should still have preferred that those letters had been specifically referred to the Committee. It is a serious step to suspend the operation of an Act of Parliament. The House should look with jealousy on the exercise of such a power; and Ministers should know that every such step will be most carefully looked into by Parliament. But it is not because I object to the course which the Government has taken that I say this. It is with the greatest reluctance that, after listening attentively to the explanation of the right hon. Gentleman (the Chancellor of the Exchequer), I find myself compelled to approve of the course which has been taken. While admitting this, I beg to be understood as regretting very deeply the necessity under which my right hon. Friend found himself of breaking through the law; but I think it must be allowed that, under all the circumstances, the Government had to choose between the strict adherence to an Act of Parliament, and a state of increasing danger and difficulty. And, having decided on moving at all, it seems to me that they gave way just at the proper time. I throw aside, of course, all party feelings, and all those considerations which might spring from political attachment to my friends below me. I will take an impartial view of the case. I do not think they were frightened without reason. Of all those men at whom I would have pointed as not likely to tremble before a little danger, I would first have mentioned the noble Lord and my right hon. Friend. I am assured that when they resolved on violating the law, it was not a small matter which induced them to assume that heavy responsibility which now rests upon them. I will not conceal from myself that the circumstance of their having so given way has had a very great and serious effect, not directly upon the interests of the country, but upon the view which the public will be disposed to take of our monetary concerns, and of the laws which should regulate them. It will not be forgotten that the Bill had to be suspended upon the very first occasion on which it was put to a trial; and this naturally will diminish the confidence which was before placed in that Act. My right hon. Friend, perhaps, did all he proposed to do so far as regards the restoring confidence to the money market; but, in doing that, he has left for himself a still harder task —to restore confidence in the laws which regulate our monetary system. Unconnected in any way with the Administration, I have endeavoured to watch, so far as my limited information allowed me, the working of the Bill of 1844. I have endeavoured to do this fairly, and with no reference to any predisposition I may have had in its favour. When that Bill was passed, I contemplated from its operation

three different and main advantages; and I have examined the results to see how far my expectations have been realised. One of the objects of the Bill was, that by placing restrictions on the private banks, it would check that over-issue of those banks which had previously either by themselves produced the most serious evils, or had counteracted the efforts of the Bank of England, when, in a time of approaching difficulty, that establishment was desirous of taking proper precautions. And of that part of the Bill, my expectations have been entirely fulfilled. In April last those who doubted the operation of the Bill admitted that that portion of it worked well, and even expressed a wish that so much of it might be retained. There are Gentlemen, however, who have a great objection to the Bill, because it did not prevent speculation. Do they mean that they expected any such effect? If so, I think it was a most unreasonable expectation. Such an expectation was never held out. Perhaps in the speeches when the Bill was under discussion, a sentence here and there may be picked out, inferring that it would tend to restrain excessive speculation. But all the laudatory phrases uttered carelessly in debate are not to be taken as the expectations of the framers and authors of the Bill. We all know that in this House there is a good deal of exaggeration. If the thing we are talking about is a good thing, there never was such a blessing before; and if it is a bad thing, we predict utter and extreme ruin to the country. But there was no real expectation that the Bill would prevent over-speculation. You cannot prevent speculation by any monetary system whatever. Your object was this—that when, from other causes, excitement and over-speculation existed, your restriction should prevent any increased excitement arising from the over-issue of joint and private banks. That was your object, and that you accomplished. There has been plenty of speculation undoubtedly. There has been a good deal of speculation in railways. Now, one thing is very singular in the House of Commons—its shortness of memory, its forgetfulness of what it did a few years ago. Will you have the goodness to recollect what was the great grievance and subject of complaint some time ago? It was, that you had so much capital you could not find any profitable mode of investment for the whole of it. Well, of course, when that was the case, capital found an outlet in every possible direction, and you could not but have speculation. And then you had another difficulty; you had a great mass of labour for which you had no employment. Both your capital and your labour were finding channels for themselves in foreign countries. If there was any blessing for which you might have prayed then, it was for reasonable modes of profitably employing your capital, and honestly employing your labour. The blessing eventually came, and you found what you wished for in railways. I am very well aware that railways have been overdone, just as every other speculation is overdone; but I confess, while I am not insensible to the evils arising from over-speculation, that I have considerable doubts of the expediency now of the House or the Government interfering for the purpose of checking or directing speculation. No Act of Parliament can stop speculation. You have it, in one shape or another, from time to time; and if I have read the history of my country aright, I can see no reason to fear but that, so long as you leave us free, there will always be sufficient energy and intelligence to raise us from any of those temporary difficulties resulting from an excess of speculation in which, as now, we may find ourselves. It is only when you enact by law how long the labourer shall work, and how the capitalist shall invest his money, that I begin to doubt of the fortunes of the country. I hope that no such attempt will be made now. A Committee is to be appointed to whom Railway Bills are to be referred, with a view of seeing what is to go on, and what must be stopped. The same thing has been tried before. I was one of the Committee; the proposition never was actually made to the Committee, and I never gave it any encouragement. I am of the same opinion now as I was then. I grant all the evils that may flow from speculation; but I question the wisdom of a Committee of this House telling me—though I am no speculator—or any one else, how we shall deal with our money. I hope, however, if any such recommendation is to emanate from a Committee, this Committee will do its work well—that it will give us some comprehensive report, and tell us on what principles we ought to go. I hope they will do their business in a business-like manner. The supposition on which they are proceeding is, that there are too many railways contemplated for the floating capital of the country to provide for; and I expect of the Committee

that they will enter into all the details, and give us those reasons on which they found this conclusion; what is the floating and what is the fixed capital of the country, and how much is required for our legitimate wants. We are told that the rate of interest derived on loans to railways is so high that we cannot go on with our regular trade; if that be so, the Committee should inform us to what extent they consider the rate of interest may be allowed to rise, and how far capital ought to be free in its investments. Let us know whether we are to have a recommendation of some new usury laws, for the purpose of defending the mercantile and manufacturing interests against railways, on the ground that they monopolise the floating capital. The more I consider this question the more I am convinced that we shall be unable to lay down any well-defined principle to which, under all circumstances, it would be safe to adhere. Just at the present moment it would probably be no very great harm if we decided upon "hanging up" all the Railway Bills; but if you enter upon an inquiry in order to find out what ought to go on and what ought to be rejected, you undertake a task in which you are certain to fail. In the story of *Rasselas*, there is a philosopher who laboured under the delusion that to him was given the superintendence of the weather: that he was to measure out the sunshine, and the wind, and the rain. The poor old soul lived a very unquiet life; but when he recovered from his dream, he had at least the consolation that he had done no mischief. Now, I do not know to whom is to be intrusted the task of directing the commerce of the country; who is to draw off an excess of money in one direction to force it into another, or who is to bottle up our floating capital, lest it should be too hastily transferred into fixed capital; but, whether Her Majesty's Government or the Committee, they will have to awake some time or other from their delusion, and I hope they will be able to assure themselves that they have done no mischief. There is another expectation which I entertained of the Act of 1844, and this, also, I think, has been realised. Let us remember what took place in 1837–9. The cause of the difficulties in those years was very plain. We had great prosperity in the first place, then came some accidental reason for a turn in the exchanges, and the result was an external run upon the Bank for gold. The Bank attempted to set the exchanges right, and ultimately succeeded, but not before the amount of gold left in its coffers was so small that an internal drain would, in all probability, have rendered necessary a suspension of cash payments. This is the real history of the affair. I was not then at the head of the finances, but had the means of knowing what was going on, and remember well the deep anxiety which was then felt, as at one time I saw the Governor of the Bank from day to day. The bullion of the Bank was, in 1839, as low as 2,000,000*l*., and perfectly unable to meet any internal drain if it had arisen. In remedying this state of things this Bill has perfectly answered to every expectation. Whether right or wrong in other respects, the effect of it has been to set the exchanges right, with an amount of bullion in the Bank which left them free to act, and, at any rate, free from any fears of those internal drains which at one time were by no means visionary. When I left office I was not free from alarm and considerable apprehension that if our monetary system continued to exist as it then was, it was not at all an impossibility that in the very next season of distress the Bank would stop cash payments. Looking back, then, to the combination of difficulties which we have recently had to struggle against, I will not conceal from the House my conviction, that if all those disasters had come upon you with no other check or precaution than were provided before the enactment of the Bill of 1844, we should now have had to be considering how we should deal with a crisis much more serious and ruinous than that through which we are passing. So far, therefore, my expectations of the Bill have not been falsified. I wish I could say the same with regard to that third anticipation which I formed. Amongst other expectations was this, that the Bank would commence their operations earlier; and, by withdrawing their notes gradually from circulation as the gold was withdrawn from the country, the effect upon commercial people would be gradual and cautious. Under the old system it was said that the Bank neglected the signs of the times, and did not take their precautions early enough, the consequence of which was, that when a time of difficulty and danger came, the Bank sought to save itself at any expense. The expectation—and I do not separate myself from others, for I entertained that expectation—was, that by

compelling the Bank to take earlier precautionary steps, and by making that measure gradual, the country would have been saved from those convulsive efforts which the Bank was accustomed to make; and crises such as these, although they might still occur, would yet be mitigated in their operation. I admit that that expectation has entirely failed. But still I cannot help feeling that the principle upon which that expectation was founded was correct and true, and the more so when I look at the operations of the Bank itself. I have avoided troubling the House with statistics; but, for the purpose of making myself clear upon this point, I will trespass upon them with an extract, merely requesting the House to observe that I take the figures under the old system. I find, then, that the amount of bullion in the Bank on September 12, 1846, was 16,354,000*l.*, and that on April 17, 1847, it was reduced to 9,330,000*l.*; being a diminution of 7,024,000*l.* Now, I take the same dates with respect to the circulation of notes, and I find that on September 12, 1846, the amount was 20,982,000*l.*, and on April 17, 1847, it was 21,228,000*l.*; being an increase of 246,000*l.* Now, I do not know what might have been the expectation of my right hon. Friend or of those Gentlemen on the opposite benches who are more acquainted with this subject than I am; but, for myself, I must say, that I never entertained the idea that it would have been possible under the operation of this Bill to have shown such a set of figures. If we could have supposed this possible when we were in Committee in 1840 collecting the evidence upon which the Bill was founded—if a case had been brought before us in which when the bullion had run off 7,000,000*l.* the notes had increased 250,000*l.* — then I should have said, that such a case was the strongest argument for the alteration of your system, and the strongest reason for a Bill founded upon the principles of the right hon. Baronet. I know I am told, in answer to this, that it is all the fault of the Bank. This answer does not satisfy me. I believe, if we look back, we shall find that the operation of the deposits and the question of the reserve was not sufficiently considered either by those who were favourable or those who were opposed to the Bill. I cannot find in the evidence before the Committee of 1840 more than a few sentences leading me to suppose that danger arising from such a cause was contemplated or referred to; yet this was a most important consideration, for it was by the reserve the Bank was enabled to do what was contrary to the spirit of the Bill—when gold was running out not to reduce their circulation by a single pound. I do not think that the system works satisfactorily in this respect; and, in fact, the point did not receive anything like a sufficient consideration. Perhaps it was impossible, before the Bill was in practical operation, to see how the reserve of notes would operate; but it certainly never entered into the contemplation of any one then considering the subject that 7,000,000*l.* in gold should run off, and yet that the notes in the hands of the public would rather increase than diminish. Without at present saying whether the expectations I entertained when I supported the Bill, have been disappointed or fulfilled, this much I will say, that I have listened attentively to all the objections which have been offered to that measure by different Gentlemen, and it does appear to me that the grounds upon which the several objections are based, are the most discordant and incongruous that can well be imagined. One Gentleman alleges that this Bill has been the whole and sole cause of the commercial distress; he attributes every evil to the Bill; but scarcely has he sat down before another Gentleman rises, belonging to a school the disciples of which assure us that the Bill is utterly and entirely ineffective. I have heard it distinctly stated, on the one hand, that by the law the circulation was starved, and commerce ruined; and, on the other, that the Bank had no power either to increase or diminish the circulation by a single note. Now, it really would be convenient, before you attack the Bill, to decide whether the Bill is an inefficient Bill, or an over-efficient Bill; for surely it is impossible it should be both. If you believe the accusations against the Bill brought by the Gentleman who ascribes to it all the difficulty and disaster that has occurred—that it has crushed credit and stopped circulation—then what becomes of the arguments of that class of Gentlemen who contend that the Bill is altogether nugatory, and has no effect whatever: or, on the other hand, if the latter position be true, what becomes in turn of the charges of distress and mischief which are laid to the account of the Bill? I do wish Gentlemen would have the good sense to decide what those charges against the Bill really are. But both classes of objectors are anxious to free

the Bank from the restriction, and leave the management of the circulation to them. I cannot but remember what took place in times before the Bill of 1844, concerning discretion vested in the Bank. All the same accusations and objections were then brought forward. Deputation after deputation came up to complain of the misery created by having the fate and fortunes of the commercial world at the disposal of the Bank. Is it so very long ago, that hon. Gentlemen have forgotten the manifesto of the Chamber of Commerce at Manchester? As I find that memories are really short upon this matter, I will state what was the opinion—not of philosophers, not of theorists, but—of practical men; and I ask the House to listen to the sentiments of the men—the first of your manufacturers—commercially representing the opinion of Manchester, the great mart of your cotton manufactures, upon that system to which in the opinion of some—rather hastily formed perhaps—but, at any rate in the opinion of some, we ought to return. They detail first the effects of the measures of the Bank, and then proceed to speak of the powers given them under the old law:—

"That such a power over the property, and, as has been seen, the health, morals, and very lives of the community, should be vested in the hands of twenty-six irresponsible individuals, for the exclusive benefit of a body of Bank proprietors, must be regarded as one of the most singular anomalies of the present day; that the secret acts of these individuals, veiled as they are even from the eyes of their own constituents, should decide the fortunes of our capitalists and the fate of our artisans—that upon the error or wisdom of their judgment should depend the happiness or misery of millions—and that against the most capricious exercise of this power there should be neither appeal nor remedy—that such a state of things should be allowed to exist must be regarded as a reproach to the intelligence of the age, and as totally irreconcileable with every principle of public justice."

That was the opinion of the great manufacturing city of Manchester upon the working of that system which now you speak of with so much attachment—the system of entire discretion vested in the Bank. From what I have said, it will be seen that if I am a Member of the Committee about to be appointed, I should not be very likely to enter upon the duties of the inquiry with a very obstinate disposition to stand by any Act I was instrumental in passing, if I thought it wrong. I should go into Committee with a view to ascertain the real working of the Act of 1844, and to give to the inquiry into that Act my best and gravest consideration, with the sole view of coming to such a conclusion as truth and experience may warrant. But, at the same time, I cannot sit down without earnestly entreating this House not to be led to a hasty decision by mere language, however effective and eloquent—not to be induced to make a sudden jump either the one way or the other. I entreat it to take time—to inquire diligently and patiently—to ascertain clearly and decidedly, before they act; for of all the plagues that can beset the human mind, none is worse than the fever for doing something without knowing what. Inquire, then, and come to one conclusion or another; you may come to many conclusions and to false conclusions; for you are but men, and your decisions may be wrong. But if you decide without inquiry, then I do not hesitate to say that you are committing an act of criminal negligence, and adopting a course for which there is no excuse. Those who have been engaged in trade—those recovering from recent suffering—must feel warmly, and may allow their feelings to influence their judgment; but you are legislators, and if you allow your judgment to be overborne by your feelings, you at once commit a grave political crime. You are bound calmly to investigate this great political question. You talk of months of time; but months are of no importance compared with that of coming to a right and just decision upon a subject of such momentous importance.

MR. HERRIES said, the right hon. Gentleman who had just addressed the House, had recalled their attention to a topic of the most essential importance, and it seemed to him a matter of wonder that no one who had preceded him in the debate had especially drawn the attention of the House to it; for it was, as the right hon. Gentleman observed, a subject of the greatest interest in itself, and also as connected with the conduct of the Government of high importance in a constitutional view. The right hon. Gentleman had very justly objected to the conduct of the Government in not having more expressly brought under the consideration of this House the correspondence which had taken place between them and the Bank—the papers relating to those events which had taken place immediately before Parliament met, and which were in fact the main cause of their having been called together. The noble Lord at the head of the Treasury, as a constitutional statesman, was perfectly right in declaring that the letters which had

passed between the Treasury and the Bank should be made the subject of special reference to the Committee about to be appointed. But he would not be content with a mere reference to those letters to the Committee. He took it for granted that those letters were connected with a more extended correspondence, the whole of which ought to be brought under the consideration of this House, in order that this House might express its judgment upon the whole of the transaction in question, and its results. He was not offering these remarks in a spirit of party, as a Member of "Her Most Gracious Majesty's Opposition"—he was not cavilling or criticising in the spirit of a partisan; for he was convinced that, from the consideration of such a subject as this, party feeling and party spirit would be, as they ought to be, entirely excluded. Indeed, he could not imagine how, by any ingenuity or party predilection, such a question could become a mere party question. Hon. Members on this side of the House, in many cases, agreed with hon. Gentlemen opposite, and *vice versâ*. The various opinions entertained upon the general question of the currency, to which this special subject had relation, were distributed through every part of the House. There were men connected with commerce, with politics, and with literature in each division of it, entertaining different views, and maintaining separate theories, who could have no political purpose to advance by the support of them, and no other object than the maintenance of what each believed to be the truth. It was, therefore, in the entire absence of anything like party spirit or ill-feeling towards the Government he said that Parliament ought to be put in full possession of the whole history of those transactions to which the right hon. Gentleman had adverted. He thought that the Government was not only bound to furnish the whole of the correspondence or communications in question, but also to give to the House the fullest explanation of the grounds upon which they had acted as they had done. That was what the House of Commons ought to know. The peculiar circumstances which occurred to induce the interference of the Government, and which had forced them into the course which they had adopted, were, indeed, nothing less than the very pith and marrow of the subject. The narration of the particular grounds upon which the Government had proceeded when they resolved to suspend the existing law, would do more to show them the real working of the Bill of 1844 than any lengthened discussion on the general question of the currency, or the production of voluminous papers, could possibly do. Those disclosures alone could fairly exhibit the cause and manner of the failure of the Bill of 1844. It lay in a narrow compass, and might be shown in one view, or stated in a few words; but in spite of all that had been said about it—in spite of repeated requests and solicitations—the Government had pertinaciously withheld this plain and simple information. What he alluded to was nothing more than a plain but full exhibition of the condition of the Bank at the time when the Government was induced—or, he should rather say, compelled—to write the letters in question. The right hon. Gentleman the Chancellor of the Exchequer had made a very long, able, and lucid speech; but he cautiously avoided throwing any light on this the most prominent and pressing incident involved in the subject of his discourse, he would not say in a disingenuous, but certainly in a very dexterous way, by adverting to it in this fashion—"I was informed, on the 23rd of October, that there was a panic in the city. Persons of great respectability in the city made me acquainted with that fact. Acting on this information the Government thought it necessary to take such measures, with reference to the Bank of England, as might allay this panic." Now, it might be assumed, from the statement of the right hon. Gentleman, that the panic he was called upon to dispel was one of those sudden and unfounded apprehensions which, just or unjust, will sometimes get hold of men's minds—something for which there might be no real ground, but which, although arising from imaginary or fictitious causes, it was nevertheless the duty of Government to relieve. But, was there no foundation for that panic? Was there no panic in the mind of the right hon. Gentleman himself? Did not that panic arise out of some just and reasonable ground for fear? And was not that a fear in which the right hon. Gentleman might himself very naturally participate? If the right hon. Gentleman had thought fit to disclose to them the state of the Bank when all this occurred, the House would have had no difficulty in judging whether this was an absurd panic, or a just and prudential apprehension, which pervaded all the mercantile

classes of the community. He (Mr. Herries) could tell the House that such was the condition of the Bank at that period, that if the Government had not interposed by an authority to suspend the Act of 1844, the Bank of England would have had no other resource in order to meet its engagements, than the dangerous and doubtful one of forcing its public securities for sale upon the market. The House might easily judge what might at such a state of things have been the consequence of such a step. No; it was not a mere panic that the Government interfered to allay. It was the cause of that panic that they were imperatively called upon to remove. For that purpose their interference was, no doubt, wise, or rather absolutely necessary. On the memorable day which preceded their determination—the 23rd October—two days before the letter to the Bank was written—the real cause of the panic might be seen in the relative state of the liabilities and resources of the Bank under the restrictive powers of the Act of 1844. He would not weary the House with many figures, but would briefly draw their attention to some which, on this part of the argument, were conclusive. There were in the issue department of the Bank, at the period referred to, in bullion, 7,865,000*l.*; notes outstanding 21,865,000*l.* In the banking department, in bullion, 447,000*l.*; and in notes, 1,547,000*l.* Against this whole amount of cash in the banking department, they all knew there was an enormous sum both of public and private deposits. The private deposits amounted to 8,580,000*l.*, and the public deposits to 4,766,000*l.* At this period, the demand for discount by merchants and others of the highest credit was most pressing, and the Bank was utterly unable to give the slightest assistance; for such was its condition, that if only a portion of those who had private deposits there, suppose to the amount of 2,000,000*l.*, had drawn for them, the Bank must have actually stopped payment. At such a moment they could not have sold their securities, and they had no other means of complying with the demands on them. Now, was not such an event as this—was not such a crisis—the very first subject for inquiry? Was it not of the most urgent importance to ascertain in what manner this crisis occurred, and what the Bank Act had to do with bringing it about? Was it not by inducing this state of things that the Bank Act had brought about this failure of credit—this universal distrust—this ruinous want of confidence—at a time too, when, be it remembered, the exchanges were favourable, and the bullion coming in? and, if not, what were the causes of it? The Bank had at that period no other alternative than to go into the market and sell its securities. What would have been the case if the Bank had done so at such a moment? and how would it have affected all those who held securities if the Bank had gone into the market to sell stock of any kind? Such being apparently the consequences of the working of the Bill of 1844, ought not that particular subject to be immediately submitted to the consideration and decision of the Parliament? Perhaps it might be asserted, that the crisis was not the effect of the operation of the Act, but was produced by mismanagement on the part of the Bank. There was a great disposition amongst many in that House to cast upon the Bank Directors the whole of the blame, and to say they were responsible for the occurrence of those disasters, and that the depression of commercial credit was the result of their mismanagement. Now, he was not the apologist of the Bank of England. He did not know the particular grounds of the proceedings of the Directors. He looked in vain for one of them in that House, who was the Member for the city of London (Mr. Pattison), and he felt sure that if that hon. Member were present, he could give a satisfactory answer to those accusations which were thrown out against the Bank Directors. But it was one of the particular characteristics of the Act of 1844, that it should guard the Bank and the public from crises resulting from improvidence and speculation. It was said by its promoters that there would be no need for any great discretion, or the intervention of any prudent counsels or superintendence, upon the part of the Directors or of the Government, for the great feature of the Act was, that the Bank would regulate itself. Well, then, since, according to the framers and supporters of the Act of 1844, there was no need of discretion or superintendence upon the part of the Bank Directors, or of the Government, the failure which had occurred must be inherent in the Bill itself. Although the Act of 1844 had been passed with a very general concurrence of the then existing House of Commons, it could not be said that it had been adopted with unanimity, or that very strong differences of

opinion had not been expressed upon it. These were maintained, indeed, by a very small but a very respectable minority in this House, when the provisions of the Bill were under consideration. But out of the House a very able discussion of the principles and the theory upon which the Bill was constructed, had long been going on. So far from this Act being deemed a discreet one, or the principles upon which it was based being generally assented to, those principles and doctrines had been pronounced erroneous many years before they were adopted by the head of the late Government; nay, the very results which had occurred since its passing had been most faithfully and minutely predicted by writers of established reputation upon the currency question. He would read to the House some extracts from the works of two writers, Messrs. Fullarton and Tooke. Mr. Fullarton, alluding to the separation of the departments, and the limitation of issues, said—

"When by course of trade the stock of bullion in the Bank shall be reduced to a level nearly corresponding with the amount of the notes in actual circulation, in excess of the 14,000,000*l.* issued on credit; when the treasure of the banking department shall be exhausted, or nearly so, and its means of solvency shall have become wholly dependent on the sale of its securities from day to day, then, and not till then, will 'the experiment' be fairly on its trial."

He begged also to quote the following from Mr. Tooke's *Inquiry into the Currency Principle*:—

"This being the case, the Directors would not have a moment to lose, upon the first manifestation of such demand, without taking measures for retaining or restoring the proportion of their reserve. They must sell securities, or allow the existing ones, if short-dated, to run off, and they must inexorably shut their doors to all applications for advances or discounts. This would, as Colonel Torrens justly observes, operate as a limitation of the power to overtrade in discounts and loans. Most effectual, indeed, would it be, and under certain circumstances of the trade, it would operate with a degree of violence on the state of credit, of which, as it appears to me, Colonel Torrens has no adequate idea. * * * * Before 2,000,000*l.* or 3,000,000*l.* of bank notes could be forcibly abstracted from the amount in circulation among the public, the pressure upon the reserves of the London bankers would be extreme. They would, of course, to the utmost extent practicable, call in their loans and resolutely refuse further accommodation. Although there is no modern experience of such a state of things, if any merchant banker or money dealer were to have the case laid distinctly before him, could any of them for a moment have a doubt as to the extremity of pressure which it would cause? I am most intimately persuaded that it would be within the mark to suppose that a rate of discount (assuming that the doors of the Bank and the ears of the Directors were inexorably closed against all applications) of 20 per cent and upwards would, in many cases, be submitted to, and sacrifices of goods, if any large proportion were held on credit, would be made at a still greater loss. And, after all, it might be a question whether even this effort of the Bank on its securities would be effectual in restoring its reserve in sufficient time to meet the exigency. If such a crisis were to happen, as most probably it would, at the time when the dividends on the public funds became due, the Government would be imperatively called upon to interfere, and prevent so ridiculous, however lamentable, a catastrophe."

Everything which these writers predicted had taken place. Those gentlemen had not only foretold general results from the application of general principles, but they had foretold with precision what had actually occurred. If they had been gifted with foresight they could not have described the result more accurately. The promoters of the Bill could not complain of not having received ample warning of the inevitable consequence of their measure. He must again express his regret that Ministers had not given the House some more precise information of the state of the Bank immediately preceding the issuing of the letter of the 25th of October. He had attempted to obtain that information on the first day of the Session, but was then told that he had put the question at too late an hour, but that had he put it earlier, he would have obtained an answer, for the Chancellor of the Exchequer was perfectly prepared to have given an answer, had there been time. Another attempt was consequently made to obtain the information on the following day, but the House was told that it would be given on Tuesday; when Tuesday came, they did not get it after all. The House was favoured with a general statement of what the Government had done to relieve the panic; but they were not even yet told what the cause of that panic was. Now, that was not the way the House ought to have been dealt with on this important question. He also thought that the able and lucid speech which had been delivered on the first night of this debate by the hon. Member for Westbury (Mr. Wilson) deserved some notice from the Government. But were Her Majesty's Ministers to do nothing in the meantime besides granting this Committee? It was not only possible, but, he said it with regret, in the present circumstances of the commercial world, it was exceedingly probable, that an early recurrence of disasters

might take place, such as those he had just adverted to, and which would not perhaps end so satisfactorily as those had ended—that a panic might be created, which no letter from the First Lord of the Treasury and the Chancellor of the Exchequer would so easily allay. With that feeling on their minds, the mercantile world were very different from what he imagined them to be, if they would be satisfied to wait for the report of a Committee which was about to enter upon so wide a field of inquiry as that which lay before the one now proposed, even supposing the investigation were to be committed to the ablest men; for, the abler the men, the more disposed they might probably be to enter upon the whole of the very wide field of investigation which would lie before them. He said, then, that it was all but impossible that Her Majesty's Ministers could refuse to take some step in the meantime to prevent the continuance of those difficulties which, as he had endeavoured to show, were inherent in the Act—which were not an accidental occurrence in the course of its operation, but were the necessary effect of its construction and provisions—which had already occurred, and which were likely to occur again. On the first day of the Session he had ventured to ask Her Majesty's Government, if the proposal to appoint a Committee were complied with, as undoubtedly it would be, for no man would willingly oppose it when asked by Government—for there were no factious views or party feelings mixed up with this discussion—he had, he said, ventured to ask Her Majesty's Ministers what they proposed to do in the meantime? The country was at present on the return, he hoped, to a permanent improvement—certainly they were at present in the enjoyment of a better state of things than when the recent unfortunate catastrophes occurred; but there were still elements in the mercantile condition of the country quite enough to awaken in the mind of every man who paid the slightest attention to the subject, the strongest apprehensions that worse times than we had yet passed through might possibly occur. We had yet to receive the news from distant parts of the impression which the calamities in London had produced. The news from India might have a very serious effect indeed on the aspect of mercantile affairs. Would Government, then, leave things as they were? It was said, that Parliament was sitting, and that if any necessity for interference occurred, Government would not hesitate to apply for powers to do so. That answer was not satisfactory. What the mercantile community required was, not that there should be power to interfere when an extremity arose, but that there should be power to prevent the necessity of such interposition — not that when the Bank should be found in a critical state on Saturday, the heads of the Government should write another letter on the Monday. The mischief in such a case was actually done by the mere demand for such peremptory interference, which of itself created alarm. He thought it would be better if Her Majesty's Government would adopt some measure to avert this possible evil while the inquiry was pending. The right hon. Gentleman who had last addressed the House (Mr. Baring) had admitted that the Act required investigation; and he had seen from the public papers that a noble Lord, in another place, a Member of Her Majesty's Government, had intimated that some modification of the Act of 1844 appeared to him to be necessary. Why then should there not be some intermediate step taken to relieve the anxiety of the public mind until there was time for some permanent legislation on the subject? If there were to be a discretionary power lodged anywhere to increase the issues upon credit beyond 14,000,000*l.*, it would be better to lodge it at once by authority of Parliament in the Bank of England until such time as a permanent measure could be introduced. The right hon. Gentleman who spoke last (Mr. Baring) had expressed his surprise at the apparent discrepancy between the state of the bullion and the notes in circulation in September, 1846, and April, 1847; the bullion between these periods having diminished 7,024,000*l.*, while the notes with the public had increased between 200,000*l.* and 300,000*l.*; and he grounded upon this a charge of mismanagement against the Bank of England. He was not able to understand the drift of that statement. The Bank was strictly prohibited from issuing beyond the sum of 14,000,000*l.*, except upon bullion. The Bank might, by its discounts, have affected the pressure upon credit—it might have altered the price of commodities, and, through the diminished price of commodities, and the consequent stagnation of trade, the amount of the notes held in circulation by the public might have been diminished. But he could not imagine in what manner that could have been a beneficial operation, or

otherwise than calculated greatly to aggravate the existing pressure upon commerce and credit. It appeared from papers before the House, that notwithstanding the changes made by the Bank in their rates of interest or discount, the paper held in circulation by the public had not materially varied during the period between the spring and the autumn of the present year. The fluctuations were not greater than 220,000*l.* or 300,000*l.* upon about 20,000,000*l.*, and therefore not of a nature to affect the public convenience, or to indicate any variation in the state of trade. This was rather a subject for satisfaction than otherwise. He saw no reason, therefore, in this respect, for the indignation which his right hon. Friend had directed towards the conduct of the Bank. He must say, when he considered the great varieties of opinions that were entertained on this subject—and especially when he considered that there were some high authorities arrayed against him—he had been led very seriously to reconsider his own opinions; but the more he reflected—the more he weighed the differences of opinion—the more he was compelled to come to this conclusion, that the Act of 1844 was founded upon a mistaken opinion—and especially that those provisions of it which related to the separation of the two departments of the Bank, and the consequent limitation of the circulation, was a fundamental mistake. He was satisfied that the day would come when Parliament would again be called on to interfere. There was one thing he contemplated with more than common dread, and which had been shadowed out by one of their ablest writers on this subject. That writer, Mr. Fullarton, had expressed a fear that, when this measure was found to fail, there might be a rush throughout the country, not merely for the amendment of this Bill, but for the destruction of the foundation of our existing monetary system. It might come to this—indeed he had already seen symptoms of it—he had heard speeches which indicated that there was a tendency in the public mind to overthrow the foundation of that system as established by the Bill of 1819. At the same time, he could not easily be induced to believe that the House or the country would consent to forego the solid basis on which our currency was at present founded. Among the amendments or modifications of the existing Act—some one or other of which the very general voice of the country appeared to call for—it had been suggested that a remedy for its present dangerous restriction might be found in an extension of the maximum within which the issue department of the Bank was now confined; such as the raising it from 14,000,000*l.* to 16,000,000*l.*, or even 18,000,000*l.* But he was confident that no such modification would suffice to render the Act free from danger; and he was equally convinced, on the other hand, that no maximum, of any amount that could be fixed upon, would be consistent with the sound principles of political or monetary economy. But he was unwilling to pursue this subject further on the present occasion. He was clearly of opinion that the first and wisest step for the House to take, would be to lift off the heavy restrictions which the law of 1844 imposed upon the commerce of the country. Let them impose what regulations upon the discretion of the Bank they pleased, and doubtless many modifications and amendments might be suggested; but, with these modifications, let them restore their system to the state it was in before, and then they would be in an infinitely safer and better condition than they were now. He hoped that the suggestions which he had thrown out, of an intermediate suspension of the measure, would not be disregarded. He observed, that an hon. Gentleman had given notice of a Motion to much the same effect; but he was sure that Her Majesty's Ministers could devise an infinitely better course than it was in the power of any individual to do. There was no disposition, he believed, in any part of the House to take it out of their hands—no ambition to be the authors of any remedial measure. He, therefore, would earnestly and strenuously urge upon the Government to defer to the state of public opinion, which he was bound to say was against them, on this question, as he was satisfied that an intermediate suspension of the Bill would restore confidence to the mercantile world, and would prove satisfactory to the country at large.

Lord J. RUSSELL said: Sir, we have had, no doubt, in the course of this discussion, a great variety of opinions; many topics have been touched upon which should not come naturally within the scope of this debate; some novel opinions have been thrown out, and there has been a great deal of discursive disquisition. I am happy to find, therefore, that in following the right hon. Gentleman, I follow one

who has kept himself within the limits of that which is properly the subject of debate, and who has given opinions which, whether I agree with them or not, at any rate must be listened to with the greatest respect, coming as they do from a person of his influence, his experience, and his knowledge both of the financial and the constitutional history of this country. I must, however, state at the outset, that the conclusion to which I should wish to bring the House, is one very different from that at which the right hon. Gentleman seems to have arrived. He prays you at once, whatever else you may do—whether there is to be an inquiry or not—whether you ask for papers or not—be the conduct of the Government blameable or praiseworthy—that at all events you will take off the restrictions which have been imposed upon the Bank by the Act of 1844; and he asks you, in the name of commerce, to do this in order to give this security to mercantile transactions. Now, I must say, considering the difficulties of this subject—considering the perils to which we were exposed by that system to which the right hon. Gentleman wishes us to return—considering the conflict of opinion that exists upon the question—it would be the height of madness for you at once to decide, without inquiry, that you will abolish a system which was adopted with general consent in 1844, and at once, without inquiry, put an end to an Act of Parliament. But, with a view to produce general mercantile confidence, I think the proposition is still more objectionable, because it is admitted by the right hon. Gentleman that you may come, as the result of an inquiry being made, to approve of the Act of 1844, or that some other results may be come to with respect to our monetary system; and what the right hon. Gentleman wishes in order to give confidence is this, that we should repeal the present system—that we should repeal the present law; but that what we may put in its place shall be matter of doubtful speculation for the next year to come. Sir, I cannot conceive a proposition which would tend more to disturb the mercantile interest—which would tend more to throw doubt upon our course during the next year—which shall more induce mercantile men to say, "Let us pause in our business, and refrain from giving orders to our correspondents until we know what is to be put in the place of that which the Parliament has abolished." Sir, I wish, following my right hon. Friend the Member for Portsmouth, and the right hon. Gentleman who has last spoken, I wish to speak upon the question as dispassionately as they have done; and certainly, I need hardly say without regarding it as a question of party interest or of party passion, but looking at the question in this point of view, I think that our survey would be very incomplete, if, looking only to what is the immediate cause of the meeting of Parliament and of the present debate, we do not likewise look to what occurred, a few years before, in similar instances of convulsion in the country. A very few years after 1819 this country found itself in a state of great prosperity. That prosperity—the general inflation of credit—led, as it had done on previous occasions, and as it has done more than once since—it led to improvident speculation; it led to plans and projects which I think Mr. Canning once aptly described as "bubbles of vapour soaring to the skies, which the puncture of a pin brought down to the earth." The convulsions which followed were of extreme danger, and inspired throughout the country considerable fear. The managers of the Bank consulted Lord Liverpool, Mr. Huskisson, and Lord Ashburton. They certainly could not have found better advisers. But I must state that they found the affairs of the Bank to be such, that as my right hon. Friend the Member for Coventry (Mr. Ellice), mentioned the other night, and as it was related the other night by Lord Ashburton, the Governor of the Bank exclaimed, with transport and delight—"The clock has struck, it is now Saturday evening, and until Monday morning there can be no farther drain of bullion issued from the Bank." The result of the counsels during the intervening Sunday was, that the Bank was found to be in possession of so small an amount of bullion—it was stated officially at the time to be one million, but Lord Ashburton said from his own recollection, it must have been much less—and, therefore, the managers were advised to make a large issue of bank notes. That was a bold and a sure course taken on a great emergency. But no man could wish that the country should again be placed in a position of so much danger; and though we escaped in 1825 with great loss, with great sacrifice of property—with great alarm—though we escaped the ultimate crash and destruction consequent upon the failure of the Bank, yet no man could expect that such a course would a second time be equally successful,

and every one must wish that such a catastrophe might rather be avoided by precaution than averted by any desperate effort. In 1837, again, we had considerable panic and distress, owing to the credit given by our merchants to parties in America. In 1839 we were in such a state that my right hon. Friend the Member for Portsmouth, who was then officially connected with the financial affairs of the country, stated that the slighted internal drain would at that time have suspended cash payments. That again was a state of great danger. It occurred under the operation of the Act of 1819. And I must now state to the House what on these two separate occasions was the amount of bullion which in no long course of time had gone out of the Bank, and the treasure which they left in the Bank coffers, at those periods of panic and general distress. In 1824, in the month of February, the amount of bullion in the Bank was 13,810,00*l.*, while the amount of the Bank circulation at the same period was 19,736,000*l.* In the month of August, 1825, the amount of bullion in the Bank was 3,634,000*l.*, while the amount of the Bank circulation at the same time was 19,398,000*l.*; so that, while the amount of bullion had diminished more than 10,000,000*l.*, the amount of circulation had only diminished to the extent of 300,000*l.* In the month of March, 1838, the amount of bullion in the Bank was 10,015,000*l.*, while the amount of Bank circulation was 18,600,000*l.*; while in the month of September, 1839, about a year and a half afterwards, the amount of bullion in the Bank was 2,816,000*l.*, and the amount of Bank circulation was 17,960,000*l.* Thus, again, the Bank had allowed its bullion to fall from 10,000,000*l.* to 3,000,000*l.*, while its circulation only diminished to the extent of 640,000*l.* Now, I must say, considering that such was the conduct of the Bank under the operation of the Act of 1819, and considering that the effects were such in 1825 that we were, as Mr. Huskisson stated, within four-and-twenty hours of a state of barter; and it is certain that the Bank had prepared a notice that its payments were to be suspended for a time—considering that in 1839 we were in such a state, that, according to my right hon. Friend, the slightest internal drain would have suspended cash payment — and many persons who were in the habit of considering the subject attentively did confidently expect that a suspension would have taken place —I think it was not unnatural that a Committee of this House, in 1840, and that the Government of the country in 1844, should have endeavoured to find whether, by an alteration of the system, that which all persons who consider the subject on right principles wish to preserve—the convertibility of the bank note—might not be rendered more secure. Now, it appears to me, and, notwithstanding the right hon. Gentleman's speech — notwithstanding what he has said of popular opinion— it is my conviction, that, to a considerable degree, the Government of 1844 did succeed in giving greater security to the convertibility of the bank note, and did avert some of those evils which, in all probability, would otherwise have arrived. I think that this follows from the paper to which the right hon. Gentleman has referred. We were, as I have stated, in 1825 and 1839, almost on the point of suspending cash payments; and if the drain had been continued for a very little longer, it would have been impossible to issue coin from the Bank of England. But there is no danger of such a convulsion at the present time. The amount of bullion in the Bank diminished, indeed, as my right hon. Friend the Member for Portsmouth showed, from 16,000,000*l.* to 9,000,000*l.* I will not at the present moment — I may refer to it afterwards — but I will not at the present moment discuss whether the Bank ought to have taken proper precautions before April last. But about the month of April last a very remarkable letter appeared in the *Times* newspaper respecting the drain of gold that was then going on, and the Bank Directors immediately began to change their course by limiting their discounts to a certain extent; and the circulation was diminished from the month of April to the beginning of June by about a million and a half. There was considerable panic and distrust at that time. But, at the same time, my belief is, that if the enactment of 1844 had not been in existence—if the Bank Directors had not had that Act before them—it is very probable that they would have allowed the drain of gold to go on, and we should again have had, as we had had on two former occasions, a panic and distrust with but about two or three millions of gold to withstand the drain that would have been created. The lowest amount that the Bank has held this year has been somewhat under eight millions. Circumstances might have occurred of another kind likely to produce a

greater drain on the Bank; but the precautions that were taken between the months of April and June to preserve the amount of gold, prevented the convulsion which was so near occurring in former years. But, Sir, there is another question upon which I do not wish to give any opinion, as it is a question which should be referred to the consideration of the Committee, in order to see if any further precautions can be taken. The right hon. Gentleman has referred to what took place in the month of October, and to the letter which my right hon. Friend wrote to the Governors of the Bank, and he says that we have not stated the circumstances connected with that letter. I thought my right hon. Friend had stated very clearly and in great detail the circumstances of that case. But, however, I will refer to its main features now. There had been in the year 1845-6, as in the year 1825 and in the year 1836, a very flourishing state of things—there had been such an abundance of capital that those who had it were anxious to place it out at 2 per cent interest, and could hardly obtain that. There was, concurrently with such a low rate of interest, a great flow of speculative investments, and with that there was, as there always has been in such cases, a somewhat wild spirit of speculation. Now I do not mean to say that it is a matter of blame that, in many cases, those who entered into those speculations, did so without any solid foundation for their calculations. I remember a right hon. Member (Mr. Tierney), with much shrewdness, saying in this House, "he who in one year is a rash speculator, was the year before an enterprising British merchant." And so it is said that—

> "Great wit to madness ever is allied,
> And thin partitions do their bounds divide."

One person may be most fortunate in his speculations, although those speculations might in themselves be wild; and another, who might have had as good reasons for his expectations, might be cruelly deceived by reverses. Things no doubt occurred this year that I do not believe are to be imputed as blameable either to the Government or to the persons concerned. We had had a very great failure of the potato crop. We had had in the beginning of the year, as I stated in this House, renewed symptoms of the disease. Letters came from all parts that the disease was making rapid strides. We thought it necessary — and the House agreed in that opinion — that the corn laws should be suspended. Many persons thought that it was probable that there would be very high prices of corn, and they entered into very large speculations. It is well known that in the neighbourhood of Drogheda the potato disease was arrested a fortnight after it had commenced. Although we had a backward spring, we had so warm a summer, and such favourable weather, that we had not only a plentiful but an early harvest. The natural consequence was, that the speculators who had brought in a very large supply of corn, expecting high prices, found that it was impossible they could receive anything like the prices on which they had calculated; and when they came to sell it, great loss was sustained by those parties. That was one cause why very considerable distress fell upon the mercantile community; and a combination of other causes coming together produced that which one alone would not have sufficed to produce. Take the railway speculation, for example. I believe that this country would have continued a very flourishing country if we had not been subjected to the misfortune of the failure of the potato crop last year. The expenditure on railways would have been kept within due bounds, and I believe it would not have been found too great for the floating capital of the country. But when you had to add to an immense railway expenditure 33,000,000*l.* for corn, and when you had other circumstances to produce distress, it can be no matter of surprise that the whole commercial world felt the difficulty of procuring money, and that capital became scarce, and that which a few years ago was to be had by any one at 2 per cent, could not be had for 5, 6, or 7 per cent. Hence great embarrassment to the commercial world. Now, let us look to the position of the Bank, without giving any positive or dogmatic opinion on the subject. It has long been the decision of Parliament that we should not embark on the dangerous sea of a State currency. We place the dispositions of that part of the currency which consists in paper convertible into coin in the hands of a great Bank, which has to a certain degree, and within a certain limit, a monopoly. That Bank, naturally enough, consisting of persons who are mercantilely interested in it, performs on ordinary occasions merely the duties which are owing by them to their proprietors. They discount paper, and obtain, in so doing, the interest of the day; and few persons criticise

in that respect the conduct they pursue. With regard to commerce in general, and without entering into the technical question as to what is currency and what is not, it is evident that a great part of the transactions of the country are carried on by means of commercial paper—by means of bills of exchange, which are discounted and re-discounted, and go from market to market, and from merchants to manufacturers, so that a great part of the manufactures of the country rest on the credit that is given to that paper, and the facility with which it is passed from hand to hand in the pursuits of industry. But when there arise failures in the mercantile world; when, owing to those speculations into which people have entered—whether justly or not—being unsuccessful, one house falls after another, panic begins, and general distrust follows, and the commercial world in general, not knowing which house will stand or which house will fall, have recourse to the Bank of England, which they regard as a machine to be put in operation for the advantage of the public, and not for the advantage of the particular proprietary to which it belongs. Now, I have seen on many occasions that if the Directors of the Bank were only to consider their own interest, they would act with caution, would hesitate very much in giving discounts, and act like other prudent private bankers in such circumstances. But then they are told, "You must consider the interests of the public, and not your own; everybody in Liverpool, and Glasgow, and Manchester looks to you at this moment to support some great firm in danger, or some important bank in peril, and by whose failure the industry of a whole district will be arrested unless you give them assistance." I must say that the position of the Bank on such an occasion becomes exceedingly difficult and complicated. If by our legislation we had provided that the Bank should at all times consider the interests of the public, and not of their proprietors; if, on the other hand, the public were generally agreed that the Bank should look to its own interest only, and that on occasions of distress no man need go to the Bank for any other accommodation than he would have as a customer in ordinary times; in either of these cases their duty would be simple, and the problem easy to solve. But, acting at one time as proprietors, employing the money in their hands and the balance in their exchequer to objects of mercantile profit, and then being suddenly called upon to consider the great interests of the State, their position is difficult and perplexing beyond what can be easily explained. While, therefore, with respect to particular cases, I should, along with others, criticise the conduct of the Bank, and say, perhaps, that at one time they have fixed the rate of interest too low, and at another time that it would have been better to have diminished their circulation — while I may make these criticisms, at the same time I am desirous to make every allowance for the position of the Bank, considering the double duties they have to perform—duties that have been imposed upon them by the State, and which they can hardly perform at once to satisfy the State that they have looked only to the interests of the public, and to satisfy their proprietors that they have been doing their duty to those who hold shares in the Bank. Well then, what was the position which the Bank held in the beginning of October this year, after the pressure and commercial distress began? Let me say, once for all, that I do not believe that the Act of 1844, or indeed any other Act with regard to currency which the Legislature could pass, could prevent commercial panic and convulsions. If it was said—as it may have been in the course of the debate which took place when that Act was passed, though I believe it was not said in the speech of the right hon. Gentleman (Sir R. Peel) in proposing the Bill of 1844—if it was said that it would prevent those commercial panics, I think that may be fairly put down to the tendency which exists to give credit to Acts passed by Parliament for doing more than they can perform—giving them, in short, credit for doing that which no Act of Parliament can ever perform. It was so in the case of Catholic emancipation, when they heard very much of what that measure was to do for Ireland, and it was the case with various other Acts which have been passed by a majority of this House. [Mr. DISRAELI: Free trade, for example.] I will say, just in a parenthesis, that I believe free trade is calculated to produce great benefits, and will ultimately produce benefit to the country; but that the advantages derivable from free trade, like those of every other measure, have been greatly exaggerated, I have no doubt. But to return to the subject. What we had to hope from the Act of 1844 was not that it should prevent commercial panic and convulsions—not that it should pre-

vent speculation, or save those who had been carrying on speculations from the consequences of their own acts—but the chief object that you had to attain in a currency measure was, that when these convulsions should happen, the currency should not be in effect destroyed—that the convertibility of your bank note into coin should not be lost during the commercial convulsion—that, in short, the commercial convulsion should not sweep along with it any currency convertible into coin. That effect, as regards this Act, has in the main been successful; but the right hon. Gentleman says that we have not said what was the state of the Bank when we proposed to interfere; and then the right hon. Gentleman, contradicting immediately his own assertion, read from the *Gazette* returns of the exact state of the Bank at the time the Government resolved to interfere. Why, Sir, the state of the Bank was this: In the commencement of October, if the Bank had considered merely its own interests, it would have been, as I have said, very cautious in its discounts. It would have allowed the public to repay the advances already made without making any fresh loans, and thus it would have been in a state of perfect security, with a sufficient amount of reserve. But, to give some ease—to give some relief—to the suffering commerce of the country, the Bank did make very large advances. Of course they judged for themselves as to whether the houses to which they made their advances were solvent or not. They made their advances to houses only which they considered solvent; but, at the same time, it cannot be denied that very large advances were made. Up to the middle of the week that ended on the 23rd of October, the Bank thought that the difficulties might be got over; but greater difficulties began to exist, and a much more fearful tone of correspondence began to prevail on the Monday, and then we began to suspect that the danger was imminent. There arose a great panic and distrust in the country, and more especially there occurred that case to which the right hon. Gentleman referred—the breaking of a bank at Newcastle—and the great run which a large, powerful, and wealthy bank in that place sustained, and on which the industry of the entire neighbourhood depended. The gentleman who was agent for the Bank of England at Newcastle not only advanced all the means he possessed, but sent for 40,000 sovereigns from London to assist the bank to get over the difficulty. The difficulty was surmounted; but, at the same time, there were rumours (and, I believe, well-founded rumours) that in other parts of the country similar difficulties might and would arise. The state of the Bank was, as the right hon. Gentleman has stated, that, while the bullion in the issue department was 7,865,000*l.*, the amount of notes and gold and silver, taken together, in the banking department, was 1,994,516*l.* Of notes alone there was 1,547,287*l.* Now, in this state of things, I confess it appears to me that if there should arise a similar instance of a run upon banks—if a pressure upon the commercial world in any of our great cities should occur, and application should be made to the Bank of England, and this application should be refused, there would be not only panic, but a dreadful convulsion in the country, which could not fail very much to affect likewise the metropolis; and, finally, even the Bank itself, in these circumstances, could hardly be safe. Now, the opinion of the Bank was not that which I have just stated. The opinion of the Bank, which they conveyed to us in a formal resolution on the 25th of October, was, that, as far as the Bank was concerned, they could comply with the provisions of the law, and maintain their position. At the same time, the Governors of the Bank frankly confessed to us, that, if such cases as those I have alluded to occurred, or such cases as occurred at Liverpool, they could not give further accommodation, and they might possibly be obliged, in the position to which I have referred, to restrict further the accommodation they had already given. In these circumstances, we did consider that the time had arrived in which, in order to prevent great difficulty—to prevent the increased panic and the evils that were sure to follow from a perusal of the returns that would have appeared in the *Gazette* of the following Friday—we thought that it was necessary to take some extraordinary measure. I must say that, in the general course of this debate, the prudence of our so acting has hardly been disputed. My hon. Friend the Member for the Tower Hamlets (Sir W. Clay), to be sure, threw some doubts on that point; but I own that nothing that has occurred has the least tended to shake my opinion that it was a step well calculated to restore confidence; and, although the authority of the law could not in any way be impaired without producing considerable evil, yet that evil was very much less than the mis-

chief and disorder that would have occurred if we had not interfered with the operation of the Act. Some parts of the letter we wrote to the Directors of the Bank have been very much blamed. It is said we ought not to have mentioned any particular rate of interest. Why, I must confess that that which I had before my eye during the whole of that anxious time, was a danger that we might, by mistake—by some false step—encourage the continuance of unsound speculation, and thus put the security of the convertible currency into the greatest danger. At the moment we wrote, the exchanges became in our favour—large quantities of gold came in; and it is probable that, if there had been time, even without any extraordinary measure, the Bank would have been in a condition to extend its discounts, and to give further relief to the commercial interest. I own that I had the fear before my eyes, lest, by any imprudent measure, we should stop that course, turn the exchanges against us, and thereby produce a state of things from which it would have been hardly possible to escape, without, on the one hand, a very sudden contraction—such a sudden contraction as to produce the greatest mischief—or, on the other hand, without that which I consider the greatest evil as regards this subject—the suspension of cash payments by the Bank. It was with those feelings that I willingly agreed to take that step which, I admit, is contrary to all rule, authorising the Bank to extend its issues beyond the fixed amount. It could not fail to be thought advisable that this measure should operate in favour of those who really wished to have the power of drawing, so that there should not be a rush for accommodation on the Bank; that the exchanges should continue in our favour; and that the influx of gold should not cease. That has been the consequence, as we anticipated. The influx of gold has risen to nearly 11,000,000*l.*, and the reserve in the Bank is no less than six millions. I think, if we had not inserted that condition in our letter, that such advantages would not have been secured. In taking that step our object was, on the one hand, to restore confidence, and on the other hand, not to establish a confidence which should give rise to such improvident speculations as would have turned the exchanges against us, and prevented the influx of gold. Sir, in this respect I think, whatever may be said of the measure, in this respect, at least, it must be allowed to have been successful. But then the right hon. Gentleman says, he wishes that some measure could be adopted by which a recurrence of the commercial difficulties that induced us to issue that letter might be prevented. The hon. Member for Huntingdon (Mr. T. Baring) the other night called upon us to say whether we meant to allow the occasion to pass without proposing some precautionary measure, and suggested—I don't recollect the words—that the Bank should be at liberty to assist such commercial houses as might require aid. When I am asked this question, I am obliged, on the other hand, to ask the right hon. Gentleman and the hon. Gentleman, whether they have clearly fixed in their own minds what it is that they do ask, and to what end it might lead? They are both of them advocates—I give them perfect credit for sincerity in their advocacy—but they are both advocates for a currency convertible into bullion on demand. They would see with dread anything like a suspension of cash payments. Yet there must be some mode by which such an occurrence must be prevented. You may say this is an artificial system which exists under the Act of 1844—that that breakwater which has been erected is useless and mischievous. But I cannot help saying, that there must be a certain degree of prudence on the part of the Bank, otherwise you will not escape the mischiefs which led to the suspension of cash payments at a former period. Mr. Pitt, when he required large loans from the Bank, and thereby obliged them to have recourse to measures of which they did not approve, did not intend that those measures should end in a suspension of cash payments. It was no part of the policy of that Minister, who conducted the financial and commercial policy of this country with such enlightened views and with such steady aim, following the course he took in 1784 and 1793, to resort at last to a paper currency not payable on demand. That could be no part of his policy; neither will I presume to say, that in 1797, when carrying on the difficult operations of a war, he may not have been forced, from circumstances, to resort to that extreme, that very disastrous step. It may have been necessary to avoid greater evils. But let us reflect that the same danger which was incurred in that instance, by requiring large and continued loans from the Bank, would be incurred, if you required from the Bank, without regard to prudence and discretion,

that it should make advances to commercial houses. I am perfectly persuaded, if that were the course you pursued, that however much you declared yourselves friends of a system based on convertibility, you would arrive at a state of things which would issue either in a sudden and violent convulsion, or in that suspension of cash payments which was acknowledged to be so great an evil. I come now to the question as to the policy which the Bank and country should pursue. The right hon. Gentleman has spoken of different courses maintained by writers of great eminence and experience. I don't wish to enter into those questions of theory discussed by Tooke and Fullarton on the one hand, and by Jones Loyd and Norman on the other. But what most concerns us is the practical course to be followed. And as regards that practical course, though those authorities differ as to the Act of 1844, I find no great difference. Mr. Jones Loyd thinks the separation of the issue and banking departments, and the provision that the Bank should issue only 14,000,000*l.*, and that the rest of its issue should be upon bullion, is a wise provision. Mr. Tooke thinks it mischievous; but I think they are both agreed as to what the practical conduct of the Bank should be—that when the Bank finds a very considerable drain of gold going on for some time, and the exchanges advance, measures should be taken—gradual and prudent measures—by which that drain may be stopped. With the permission of the House, I will read two or three passages from Mr. Tooke, in speaking of what took place in 1838 and 1839. He says—

"It was an error of the Bank, in 1839, to have been perfectly quiescent until a loss of treasure, from 9,336,000*l.* to 5,119,000*l.* had taken place."

He afterwards observes—

"In a work published in the spring of 1838 I took occasion to observe—'That as far as the eventful experience of the last fourteen years—viz., since 1824—can serve as a guide for judgment, there appear to be good grounds for believing that not less than 10,000,000*l.* can ever be considered as a safe position of the treasure of the Bank of England, seeing the sudden calls to which it is liable.'"

How does he propose that the Bank should Act?—

"The plan which I would propose is, that when the tide of metals sets fully in again, the Bank rate of discount should be kept so steadily above the market rate as progressively to reduce the securities through that channel, without increasing them by other investments. The effect of this would be to insure a replenishment of their coffers to 10,000,000*l.*; and, with the purpose of endeavouring to preserve that amount on an average, it would not be expedient on the part of the Bank, to take any active measures for the increase of its securities."

But his plan is to reduce the securities, and thus keep 10,000,000*l.* in its coffers. Mr. Jones Loyd, in his pamphlet, says the consequences of a sudden alarm cannot be overlooked. I have not got the passage to quote; but it is to a similar effect. He gives it deliberately as his opinion, that instead of waiting until a sudden alarm and a consequent pressure have arisen, the course of the Bank should be circumspect and gradual. He says that in the year 1838 they should have commenced gradually to diminish their discounts, and so have placed themselves in such a position as to have accumulated so large an amount of gold as would have rendered it impossible that they should have been reduced to the position which they occupied in the year 1839. I admit that it is a question fairly open to discussion, whether the positive enactment of 1844, or the hypothetical course proposed by Mr. Tooke, can render it easily practicable for the Bank to pursue such a course; but I believe I am fully warranted in asserting that no man who ever wrote or spoke on the question of currency—no man I mean of authority upon that question — ever arrived at any other conclusion than this, that when a drain of gold is coming on, and a time of danger is at hand, the Bank should then pursue a course of prudent management so as to keep, if not ten millions, as Mr. Tooke would advise, at least a very considerable sum in their coffers. It may be doubted whether the Act of 1844 provides for that exercise of prudence by any certain means. I own I am apt to think generally that upon this subject, as upon most others, you require not only a rule which is founded on wisdom, but also persons fully impressed with the value of that rule to administer the law. I do not repose much confidence in, nor do I give much credit to any law on such subjects as the present, unless it be administered by persons who act in the spirit of that law. For this reason I am of opinion with my right hon. Friend who brought this matter under the consideration of the House, that it is highly desirable that these two questions should be seriously inquired into by the Committee proposed to be appointed: first, how far the law of 1844 is efficient for its purpose; and, secondly, whether we might not obtain a more steady manage-

ment of the Bank than we are likely to realise from the votes of Gentlemen who, instead of attending regularly, attend but occasionally, and who have various opinions and diverse theories on the subject which engages their attention. But whatever you do on this subject, I do hope that the House will not consent to adopt the advice of the right hon. Gentleman opposite by taking a precipitate and unpremeditated course. I feel the truth and prudence of the observation made by my hon. Friend the Member for the Tower Hamlets, that although from the year 1810 to the present time this subject of the currency has engaged the attention of some of the ablest men this country has ever produced—although the currency laws have been directed by the views of a Grenville, a Huskisson, a Horner, a Canning, and of many of the most talented men now living—the matter is so difficult, so complex, so intricate, that there are still certain truths to be learned concerning it. I believe it to be possible to make some modification in the measure of 1844, which may cause the currency to work more successfully than heretofore. This expectation I certainly do entertain; but while I avow it, I am bound to say that I believe the Act of 1844 to have been a very great improvement indeed upon the Acts which preceded it. I believe that it has, to a very great degree, answered its purpose; and that since its enactment you never have been in the position of being afraid, from one day to another, that there might occur such a drain on the Bank, that not one sovereign should be left in its coffers; and furthermore I believe, that although it has not prevented a commercial convulsion, it has done much in the midst of that convulsion to keep the currency secure from the contagion of the dangers and evils by which it was environed. I think it a wise course to appoint a Committee to consider all these matters calmly, soberly, and gravely—to go cautiously and prudently through all the difficulties and intricacies by which they are surrounded, and not by any sudden and precipitate resolution to make men doubt whether you will keep up the convertibility of the paper currency, and preserve your standard.

Mr. REYNOLDS, from the commencement had been an anxious and attentive listener to the debate, for he was desirous of collecting the opinions of as many hon. Members as possible, on what must be admitted on all hands to be a question of the very last importance. He did not concur unreservedly with those who maintained that the Act of 1844 was in all respects radically bad, and ought to be repealed. He was of opinion that it contained some good elements, mixed up and amalgamated with others of a very deleterious character. In fact, he thought that it was full of those imperfections which were incidental to every act of human legislation. The House would have to decide whether that Bill, being now upon its trial, was to get a fair trial, or whether it was to be condemned without a full and impartial hearing. He remembered, that when the Act of 1844 was under the consideration of the House, he was one of those who were under the impression that it was a Bill exclusively intended to regulate banking in Great Britain. The author of it, the right hon. Baronet opposite (Sir R. Peel), expressly stated, that it was designed to regulate the banking operations in England and Wales, and that no portion of it was to affect Ireland and Scotland. The Irish community, sharing in that belief, did not feel themselves called upon to interfere one way or the other in the passing of the Bill. They were under the impression that in 1645, and not till then, the House would have to consider the question of Irish banking. In that year the right hon. Baronet introduced a Bill to regulate the issue of bank notes in Ireland. When that Bill arrived in Dublin, it was read clause by clause, and many of its provisions were objected to. A meeting of the merchants and traders of Dublin was held to discuss its objectionable points, and he had the honour to be one of a deputation which was appointed to wait upon the right hon. Baronet, to draw his attention to those portions of it to which the commercial community of Ireland felt that they had a right to take exception. He was sorry to say, that all that he succeeded in obtaining from the right hon. Baronet in return for his representations was what he understood the right hon. Baronet was very remarkable for — extreme courtesy and exceedingly great patience. There was no part of the United Kingdom which had suffered more from bungling legislation in banking than Ireland; and he was sorry to say that, from the time of Ireland's legislative connexion with England, the system had continued with very little improvement. Indeed, he found some difficulty in calling to mind any occasion in which that legislative connexion

had been productive of any benefit whatsoever to Ireland. Certainly the banking system in Ireland had been but very little improved by it. Previous to 1825 there was no joint-stock bank of issue in that country, except the Bank of Ireland. In the provinces, as well as in the capital, that establishment enjoyed an undisputed monopoly. In 1825 the want of banking accommodation was so severely felt all through Ireland, that the 6th Geo. IV., cap. 42, became law. It permitted the institution of joint-stock banks in any part of Ireland distant fifty miles from the metropolis. Under that Act the Provincial Bank was established in the year 1834, and at a later period was founded the National Bank, which he had himself instituted, and which now had forty branches and a circulation of about one million. In 1845 the right hon. Baronet brought in a Bill which, *inter alia*, abolished the monopoly of the Bank of Ireland as regarded the prohibited circle, and permitted that any bank of issue beyond that distance might have a branch in Dublin. Still, however, the law did not permit the establishment in Ireland of any new bank of issue. He complained of that clause, and contended that men should be permitted to associate together to give additional banking accommodation to those within the heretofore proscribed circle; and the only satisfaction he could obtain from the right hon. Baronet was, that of being referred to the 10th Clause of the Act of '44, which had this merit, at least, that it was brief, and would not occupy a long time in reading. It was to the following effect:—

"And be it enacted, That from and after the passing of this Act no person other than a banker, who, on the 6th day of May, '44, was lawfully issuing his own notes, shall make or issue bank notes in any part of the United Kingdom."

He complained that it was not a fair way to deal with the important interests of Ireland to make them depend upon a clause in an English Act of Parliament passed a year before. He represented then, as he now represented, that the people of Ireland had got no notice of that clause at the time it was about to be passed, and that, in equity and fair dealing, they ought not to be bound by an Act of Parliament of which they knew nothing. The right hon. Baronet courteously rejoined by reminding him in the coolest possible manner, that it was the duty of Her Majesty's subjects to read all the Acts of Parliament—a duty which was all very well in theory, but which he feared it would be found rather inconvenient to reduce to practice. It was arranged by the Bill of the right hon. Baronet, that the average circulation of all the joint-stock banks should remain as before—Bank of Ireland, 3,706,000.; other banks, 5,565,000*l.*; making in the aggregate 9,270,000*l.* He told the right hon. Baronet that he was tying up the circulation; for that, although he enlarged the sphere of action by abolishing the prohibited circle, he gave no additional power, and that that would never do. These and other defects he (Mr. Reynolds) pointed out, and he took the liberty to prophesy that neither the Bill of 1845 nor that of 1844 would be found to work well, and, unlike other prophets, he had lived to see his vaticinations verified. The debates of the last three nights had vindicated his character as a prophet, and established it beyond dispute. To the Bill of 1844 he objected, because, although it gave powers of contraction, it gave none of expansion. The right hon. Baronet met that objection by saying that it was not true, inasmuch as that the Bill contained a clause enabling the Bank to increase the issue to the extent of any bullion it might have on hand; but surely that was anything under the sun but a satisfactory explanation. It was of little advantage to a banker to permit him to issue notes to represent bullion, because what he made by interest would be destroyed by the locking up of the bullion. What a favour the right hon. Baronet conferred on the banker! Did not everybody know that the profit and advantage of banking consisted very much in trading on your credit, in contradistinction to your capital. He would not call the Bill of the right hon. Baronet tinkering legislation—for that would be against all order—but he would take leave mildly to designate it as patchwork legislation, which amounted to an undue interference with the legitimate rights of bankers. Fault had been found by some Gentlemen with the letter that had been issued, while others believed that it was a necessary document; he believed so, although when that letter reached the Irish side of the Channel they argued, he presumed, in an Irish manner upon it. They said, "This is very odd—this panic in England is created by a scarcity of money, or rather, to speak more plainly, by the dearness of money, and this letter makes it dearer; it was 6 per cent, and it is now increased to 8 per cent." The State physician had administered that medi-

cine; and when he (Mr. Reynolds) made that observation on receiving the intelligence, a friend of his, an eminent physician, who was standing by, remarked, that it was a good phrase, for there were some diseases that baffled all attempts at their professional treatment, and probably the State physician had acted upon the principle of counter-irritation. It occurred to him that that was counter-irritation; and he rejoiced, as a Member of that House, and as a British subject—being proud of the name—that there was wisdom enough in Her Majesty's councils to issue that letter: and he would be glad to know what the result would have been if the letter had not been issued? At all events it seemed to have accomplished its object, and to have restored confidence. He believed that the issuing of that letter was tantamount to the repeal of the Act of 1844; at all events it would be admitted that it had destroyed the infallibility of that Act. Let him (Mr. Reynolds) be not understood as using this observation in any sense indicative of anger or ill-will towards the enlightened statesman who was the author of that Bill. Not at all; on the contrary, he believed that, under existing circumstances, he and those who co-operated with him did the best they could; and he (Mr. Reynolds) hoped he would live long enough to see him repealing or at least modifying the clauses of that Bill; and that although he was the author of it, he would act with respect to it in the same enlightened spirit that had governed his conduct on many and many an occasion; and that as soon as he was convinced that anything in it was wrong, he would cease to persevere in it. He spoke with perfect sincerity when he declared that he could never forget his enlightened and glorious conduct in carrying the measure for the emancipation of himself and those who coincided with him in creed; and he should always recollect the right hon. Baronet's conduct with feelings of gratitude. He gave the right hon. Baronet full credit for that—he also gave him credit for his recent struggles to emancipate corn—and he hoped he should also see the right hon. Baronet emancipate the banking trade. Now, he asked, could any man who advocated free trade in corn oppose free trade in money; for he contended that money should be as free as corn. He would again call the attention of the House to the deplorable condition of Ireland. With reference to banking, the effect of the Bill on Ireland had been to legalise a monopoly. It prohibited the establishment of any bank of issue except those then in existence, and it contained this defect—that if any one of those banks then in existence wound up its affairs, no provision was made by the Bill to permit the existing banks to take that bank, and a blank was thus created. He rejoiced that a Committee was about to be appointed, and that the right hon. Gentleman (the Chancellor of the Exchequer) had promised that both Scotch and Irish banking matters would be taken into consideration. He thought that promise was likely to be kept, and he trusted that good results would follow from it. The Chancellor of the Exchequer had accounted for the late panic by which so many of their merchants had been exhausted, by saying that the panic might be traced, first, to the quantity of corn they were obliged to import in fifteen months, and the quantity of money invested on railways. With regard to the investment on railways, he found no fault with that investment; for although the entire of that sum was not likely to be immediately reproductive, the greater part of that sum was so, and the railways themselves would lay the foundation for future prosperity. But as regarded the Committee, that appeared to be a matter deserving of their consideration. What did they find? They had imported corn to the extent of 33,000,000*l*., and how much of that corn were they obliged to pay for for his starving and destitute fellow-countrymen? Now, he believed he was not much wrong in this calculation, that out of the thirty-three millions that had been paid for corn, at least half of that sum was expended in corn for Ireland; and the reflection on that expenditure created this feeling in his mind, that they owed the disarrangement of their monetary system to the destruction of the potato crop in Ireland in the years 1845 and 1846. Prior to that period they had enjoyed in England great commercial and manufacturing prosperity. Money was cheap—there appeared to be no apprehension of a panic. Their commercial and manufacturing interests might be compared to a well-appointed coach on a well-macadamised road. They had the coach well-appointed, four capital horses, a good whip on the box, and they were trotting at the rate of ten miles an hour, when the potato rot set in and the linch-pin got out, and the coach was upset. They were there now, he understood, to reinstate the linch-pin. He was not at all surprised

that this great commercial disaster had occurred. He did not mean to say that they were perfectly sound before they lost the linch-pin; he believed they were not. He believed they were in a state approaching to decay, and probably the upset might ultimately serve them, and he believed and hoped it might; but he was surprised the disaster was not greater; he was surprised they had not suffered more, and they would have suffered more (any other country in Europe that met with such a calamity would have suffered more) if it were not for their almost inexhaustible resources. How were they circumstanced with Ireland before this disaster? Thus: her hard-working and wretched population lived exclusively on the potato—they sent their butter and pork and beef and corn of all descriptions to England, to the extent at the least of 15,000,000*l.* per annum, and they took no gold from England in exchange—they took their woollens, and their cottons, and their silks, and their Birmingham and their Sheffield and their Staffordshire ware. From the finest articles to the humblest articles of furniture in Ireland, it was a matter of fact that almost the entire was of British manufacture. The destruction of the potato crop had put an end to that export, and they had a double draw upon them—they were obliged to send from 16,000,000*l.* to 20,000,000*l.* worth of foreign corn to feed the Irish people; and they ceased to receive the 15,000,000*l.* worth of Irish food in exchange for their manufactured goods. It occurred to him that that was a solution of a portion of the problem; and he trusted that those figures, although put forward by so humble an authority as he was, might have their due weight, and form an ingredient in the case of Ireland in that House, and be the means of directing the serious attention of that House to the necessity that now exists for the better government of Ireland, in order at all events that her resources might be developed. Ireland was the best market they had; there was no part of the habitable globe that consumed so much of their manufactures on such advantageous terms as Ireland. He had no anxiety that Ireland should consume the manufactures of any other country—he preferred that she should consume the manufactures of England rather than those of any other country, so long as she was to continue in her present degraded condition; but he was more anxious that she should manufacture for herself. It was not his object to create any unkind feeling elsewhere—he hoped it was unnecessary for him to say so. Whatever influence he enjoyed in his own country he had invariably used to neutralise and subdue unkindly feelings towards England, believing that the interests of both countries were so closely interwoven that in fact the people of Ireland were on their own account deeply interested in promoting the prosperity of England.

Sir R. PEEL then rose and said: I trust, Sir, that any observations which I may have to make upon the subject under the consideration of the House will be made in that temperate and dispassionate spirit which characterised the speeches of the noble Lord (Lord J. Russell), and my right hon. Friend the Member for Stamford (Mr. Herries); and I cannot but express, in common with the House generally, my satisfaction at the return to this House of my right hon. Friend, and my congratulations that, by his return, the House will have the benefit, on matters of this kind, of his great intelligence and great practical experience. Before I address myself to the immediate subject of the debate, I wish to clear the way by referring to a charge which was made against me last night by the hon. Member for Stafford (Mr. Urquhart), and which has been repeated to-night, certainly in the most courteous manner in which it is possible to prefer such an accusation, by the hon. Member for Dublin (Mr. Reynolds). The charge made by both those hon. Gentlemen is this—that in bringing forward the Act of 1844, as the organ of the Government I gave a public assurance that the banking interests of Ireland and of Scotland should not be affected by the measure, but that it should refer exclusively to this part of the United Kingdom. The hon. Member for Stafford went so far as to say that an insidious advantage had been taken of Scotland—that the suspicions and jealousies of the people of Scotland, particularly excitable upon the subject of banking and of 1*l.* notes, had been allayed by the assurance thus given by me; and the hon. Gentleman declared, in very figurative language, that the banking system of Scotland had received a "stab in the dark." He supported that charge by reference to the 10th Clause of the Act of 1844, and having asserted that I had publicly declared in 1844 that the banking system of Scotland was not to be in the slightest degree affected by that Act, he inquired, "What would the House think of the right hon. Gentleman, who, having

given that public assurance, inserted in the Act surreptitiously the 10th Clause, which provided that no banker not issuing notes in May, 1844, in any part of the United Kingdom, should be allowed thereafter to issue notes?" The hon. Gentleman supported that charge by reference to the speech which I made, and he quoted an extract from that speech to this effect:—

"Of Ireland and Scotland I have made no mention. I propose to reserve for separate legislation the state of the currency in each of those parts of the United Kingdom."

And certainly from that quotation from the Act, supported by that reference to the speech, the House might infer that the accusation was well founded. But what will the House think of the hon. Gentleman, who having read the passage above mentioned from my speech, omitted to read the next, which is to the following effect?—

"The prohibition against the establishment of new banks of issue will extend both to Scotland and Ireland; they also will be included in those enactments which will require the performance for the future of certain conditions preliminary to the formation of new joint-stock banks."

Could there be, on the part of a Minister bringing forward a measure, a more distinct, public, formal avowal, that, although the currency—the currency under 5*l.* in Ireland and Scotland—was to be reserved for separate legislation, yet that enactment which applied to this country in respect to the prohibition of new banks of issue, should extend to the whole of the United Kingdom? But, moreover, not only was that intimation given by a speech, but it was necessary to found the Bill of 1844 upon preliminary resolutions, to which the consent of this House was required; and the eighth resolution, which I moved on the night when I brought forward this question, and which resolution was unanimously assented to by this House—not on the night on which it was offered by me, but after the interval of some days—after it had been printed, after it had been communicated to the Scotch bankers, after it had been published in every newspaper in the United Kingdom—the eighth of the resolutions on which the Bill was founded was to this effect:—

"Resolved—That it is expedient to prohibit by law the issue of promissory notes payable to bearer on demand, by any bank not issuing such notes on the 6th of May, 1844, or by any bank thereafter to be established in any part of the United Kingdom."

Now, I think that I shall have satisfied the House that if "a stab" were given to the banking system of Scotland, at any rate it was not given "in the dark;" and as the hon. Gentleman says, that he undertook by a letter, written in 1844, to enlighten the people of Scotland on the subject of the Bill of 1844, and to warn them of what might happen in 1845, I will repay his attack upon me by giving him this friendly advice—that when he next addresses the people of Scotland upon the subject of any Bill, or of any resolutions that may be pending in this House, he will have the goodness to read the documents on which he comments.

To address myself now to the immediate subject under discussion. The practical question upon which we shall be called upon to vote, is whether or no a Committee shall be appointed to consider the commercial distress, including the laws which regulate the banking system of this country. Sir, when the Executive Government of the country appeals to the House of Commons for the exercise of those powers of inquiry which peculiarly belong to the House of Commons, whatever opinion as individuals we may entertain with respect to the probable advantage of the inquiry, it is difficult on the part of the House of Commons to resist that appeal. The functions of inquiry are constitutional functions committed to us; the Executive Government is of opinion that there is not ground for legislation without inquiry; the Executive Government asks our assistance; and, for one, I consider it impossible to refuse that appeal. An Amendment has been moved upon the Motion of the Chancellor of the Exchequer, for restricting the inquiry specifically to the question how far the distress has been caused by the laws which regulate banking. I have had experience enough to know that there is no practical difference between the two proposals. If the hon. Gentleman's Amendment were carried, it would be quite impossible to exclude from the inquiry thus nominally restricted any matters which any hon. Member in that Committee might consider to be the causes of distress. When I remind the hon. Gentleman that in 1836 a Committee was appointed with a specific object of inquiry, namely, the laws which regulate banks of issue; and that that Committee sat during the whole of 1836, was reappointed in 1837, and did not report till August 1838, I think he will be convinced, with me, that no practical

object is gained by imposing any limitation upon the subjects of inquiry. I therefore shall vote for the proposal of Her Majesty's Government, thinking that if there is to be an inquiry, no assignable causes of the present commercial difficulty and distress ought to be, or can be, excluded from that inquiry.

Sir, I have no desire to devolve upon other parties, upon whom it does not justly devolve, any share of the responsibility which attaches to me for the part which I have taken, either in respect to the restoration of the standard in the year 1819, or to the attempt to mitigate those evils which accompanied our system of banking and currency previously to the year 1844. I did no more than my duty in 1819 and in 1844 in calling the attention of the House to those subjects; and not only I do not wish to devolve upon others the responsibility for the measures then adopted, but, on adverting to those measures and carefully considering their effects, I do not in the slightest degree regret the course which was taken either in 1819 or 1844. But I must submit to this House, whether it is quite respectful to the character of deliberative assemblies, to attempt to make individual Members responsible for some of the most important measures that ever were submitted to Parliament, and which received the cordial support of Parliament? Individually, you, the Members of this House, are in no degree personally responsible for acts done by your predecessors; but in your corporate capacity you are the House of Commons, the same House of Commons which for years has been called upon to deliberate on public affairs; and nothing could more tend to depreciate the character of the House of Commons and the character of the House of Lords, than to countenance an impression that upon matters of this kind, involving the most important public interests, the legislative assemblies of this great empire adopted measures proposed by some individual Member without due consideration, and seek to relieve themselves from the responsibility of having accepted and adopted those measures, by the plea of ignorance or inattention to their duty. Why, what is the truth with respect to these measures of 1819 and 1844? In 1819 the measure for the restoration of the standard was proposed by me, a private Member of Parliament, unconnected by office with the Government; it was the result of the inquiries of two Committees, one in the House of Commons, one in the House of Lords. The report of the Committee of the House of Commons recommending the restoration of the standard, was carried with only one dissentient voice; the report of the Committee of the House of Lords was, I believe, unanimous. As the organ of the Committee of the House of Commons, I proposed in 1819 the measure for the restoration of the standard of value. There was not one single division against the principle of the Bill. So far as the principle was concerned, it received the unanimous concurrence of the House. Objections were stated to details of the measure by the Member for Coventry (Mr. Ellice), and also by other Members; but, if I recollect right, upon the question whether the Bill should be read a second time — whether the Bill should be read a third time — there was no division whatever. In the House of Lords the Bill also received unanimous acquiescence, excepting indeed that one Member of the House of Peers did move an Amendment. The Bill proposed that cash payments should not be resumed until 1823; Lord Holland proposed as an Amendment, that cash payments should be resumed in 1820. He was not content to wait till the year 1823; and the only record of an adverse opinion in the hereditary branch of the Legislature is one of dissatisfaction with the late period at which the Act was to come into operation. Now, as I am firmly convinced that the restoration of the standard of value, and the mitigation of those evils which were inseparable from inconvertible paper, were wise measures, necessary for the security of property, and for the just remuneration of industry, do not suppose that by referring to these facts I am trying to relieve myself from any responsibility on account of the Act of 1819. I have no such desire; but I cannot consent to relinquish for the Act of 1819, the weight and authority which it derives from having received the almost unanimous sanction of both Houses of Parliament.

I now come to the Act of 1844. There had been a Committee in 1840 and 1841, over which the right hon. Gentleman the Chancellor of the Exchequer most ably presided, which had inquired into and reported to the House on the subject which now engages our attention. In 1844 the Bank Charter was about to expire; some proposition it was necessary to make as to that charter. The choice lay between the renewal of inquiry, or the proposal of a

specific measure for the consideration of Parliament. Now I wish to call the attention of the House to this fact, that in five preceding years five Committees sat for the purpose of investigating this subject, of collecting information, and reporting their opinions thereupon to the House. Those Committees sat in 1836, in 1837, in 1838, in 1840, and in 1841. Notwithstanding their minute and protracted inquiries, I have heard it said that the subject had not been exhausted, and that the measure of 1844 was not based upon a sufficient inquiry. Yet antecedent to the measure of 1844, there had been an extent of inquiry on the subjects of currency and banking which ought to have sufficed. I find that by the first of these Committees not less than 3,000 questions were put; we have in the year 1836, 3,000 questions, and 3,000 answers; in the next year, 1837, the Committee which then sat, put 4,570 questions, and received as many answers. But that was not sufficient, for we have in the year 1838 a further supply of questions and answers to the extent of 1,700 of each. Questions and answers without end, but with no practical result from those apparently interminable investigations. In the year 1840, as the period at which the Bank Charter Act could expire drew near, another Committee was appointed, over which the right hon. Gentleman the Chancellor of the Exchequer presided with great ability. At that time we had all the information which could be elicited by above 9,000 questions. In 1840 we had 3,859 questions more, to each of which long and reasoned answers were given. In 1841, the Committee was again appointed, and having increased the sum of questions to 14,000, closed its labours without any practical result. It might then at all events have been concluded that inquiry into the subject was exhausted. The Committees had examined Mr. Tooke, Mr. Jones Loyd, Mr. Horsley Palmer, Mr. Page, and others, the organs of every class of opinions. It was then decided by Her Majesty's servants to submit to Parliament measures for the regulation of the currency and for the renewal of the Bank Charter. They invited the House of Commons to come to some practical decision on the subject; and I must be allowed to say, with respect to the measures proposed to Parliament in 1844, that there has not been within my recollection any measure of equal importance carried by a larger majority. On no occasion did more than thirty oppose the progress of that measure. In the House of Lords it was carried unanimously, at least without a division. I say again, therefore, that the Houses of Parliament—after the means of information placed within their reach—cannot with any justice allege, that they were betrayed into a hasty and ill-considered judgment. I am quite ready to admit that the whole subject is now open to reconsideration. It would be absurd for any one to demand on such a subject, identity of opinions with those held in 1844. Nothing could be more injurious to the public interest, than that Members of this House, if honestly convinced of their error, should refuse to come to a different conclusion now from that at which they arrived when they legislated on the subject in 1844. It would be perfectly justifiable for this House, if they should see reason for doing so, to adopt a different measure; but it would not be creditable to the House of Commons to say—"we gave our consent in 1844 blindly and inconsiderately to the measure proposed to us by the Minister; and we hold him, and not ourselves, responsible for its adoption." There has been some misapprehension respecting the objects of this Act. I do not deny that one of the objects contemplated by the Act was the prevention of the convulsions that had heretofore occurred in consequence of the neglect by the Bank of England to take early precautions against the withdrawal of its treasure. I did hope that, although there was no imperative obligation on the Bank of England to take those precautions, that the experience of 1825, 1836, and 1839, would have induced that establishment to conform to principles which the Directors of the Bank acknowledged to be just, and which they had more than once professed to adopt for their own regulation. Sir, I am bound to say that in that hope, that in that object of the Bill, I have been disappointed. I am bound to admit, seeing the extent of commercial depression which has prevailed, and the number of houses which have been swept away—some of which, however, I think were insolvent long before the Bill came into operation, and others of which became insolvent in consequence of the failure, of those who were connected with them, and were imprudent in their speculations—I am bound to admit that that purpose of the Bill of 1844 which sought to impress, if not a legal, at least a moral obligation upon the Bank to prevent

the necessity for measures of extreme stringency by timely precautions, has not been fulfilled. Sir, I must contend that it was in the power of the Bank, if not to prevent all the evils that have arisen, at least greatly to diminish their force. If the Bank had possessed the resolution to meet the coming danger by a contraction of its issues, by raising the rate of discount, by refusing much of the accommodation which they granted between the years 1844 and 1846—if they had been firm and determined in the adoption of those precautions, the necessity for extrinsic interference might have been prevented; it might not then have been necessary for the Government to authorise a violation of the Act of 1844.

Sir, it has been said that the avowed object of that Act was to establish a complete control over the operations of the Bank of England—to discourage all rash speculations—to prevent the recurrence of panics in the monetary and commercial circles, such as occurred in 1836 and 1839. Now perhaps I may be allowed to quote what I said in the course of my speech upon the second reading of the Bill, as to its object. I said—

"The Ministers were not wild enough to suppose that this measure would prevent all undue speculation, or insure an invariable paper currency; but there was a species of speculation dependent on an undue issue of paper which they hoped the measure would check. Speculation could not be prevented in a commercial community, but it might be aggravated by a species of paper credit within the control of Parliament; and though Ministers did not aim at checking legitimate speculation—though they admitted they could not prevent illegitimate speculation—which was perhaps necessarily incident to mercantile enterprise, particularly in a country like this; still they asked Parliament, by assenting to this measure, not to aggravate evils which it could not control, nor refuse to check those which came properly within its jurisdiction."

I say, then, that the Bill of 1844 had a triple object. Its first object was that in which I admit it has failed, namely, to prevent by early and gradual, severe and sudden contraction, and the panic and confusion inseparable from it; but the Bill had two other objects of at least equal importance; the one to maintain and guarantee the convertibility of the paper currency into gold—the other to prevent the difficulties which arise at all times from undue speculation being aggravated by the abuse of paper credit in the form of promissory notes. In these two objects my belief is, that the Bill has completely succeeded. My belief is that you have had a guarantee for the maintenance of the principle of convertibility, such as you never had before; my belief also is, that whatever difficulties you are now suffering, from a combination of various causes, those difficulties would have been greatly aggravated if you had not wisely taken the precaution of checking the unlimited issue of the notes of the Bank of England, of joint-stock banks, and private banks. The hon. Member for the city of Dublin (Mr. Reynolds) has spoken of the grievous injury sustained by Ireland in consequence of an interference with the constitutional privilege of the Irish banks to conduct their banking concerns as they pleased. I must say that the hon. Gentleman's authority in that respect was somewhat weakened by his explaining that privilege to be, that bankers in Ireland might conduct their operations, not upon capital, but upon credit. Now, with very high respect for the hon. Gentleman, to which he is no doubt entitled as the founder of the National Bank, I will tell him, with all suavity and courtesy, that in his banking capacity I would rather have his capital than his credit. I will give the House a specimen of the injuries sustained in Ireland by this interference with the privileges of Irish banks. If there ever was a country the poorer classes of which have suffered misery and misfortune from the abuse of banking, it is that very country of which the hon. Gentleman has spoken. I will show you what it is to establish unrestricted banking upon credit, and not upon capital. I will quote the authority of an Irishman, of Sir Henry Parnell, whose attention had been much given to these subjects. I will read to you what he says respecting the injury Ireland has sustained not by the limitation of the privilege, but by the failure of the banks in that country:—"Those failures (he says) might be described in a few words"—and certainly more emphatic words for the description of misery I think were never contained in so short a space—"There were, in 1804, as appears by the report of the Committee on Irish Banking Affairs, fifty registered banks in that country. Since that year a great many more have been established." I should think twenty more, making about seventy banks in the whole. Sir Henry Parnell writing in 1827, says, "With the exception of a few that withdrew from business, and of four banks in Dublin, three in Belfast, and one in Mallow, the whole

failed, one after the other, involving the country in immense distress." The whole! ["Hear, hear!"] I recollect myself, the failure, on almost the same day, at least within the same week, of ten or eleven banks in Ireland. I think a little later the failures amounted to twenty or twenty-one, these banks having an extensive circulation, and possessing the entire confidence, not only of the small farmers, but of the peasantry and cottiers in that part of the country through which their circulation extended. I was in the west of Ireland on that occasion, and I could hardly conceive such desolation and misery as that which was caused by the failure of those banks. I am sure there are many Irishmen who now hear me who will admit that it is almost impossible for me to overstate the evil consequences that resulted from those failures. When the hon. Gentleman tells me, speaking of joint-stock banks in Ireland, that the universal practice previously to the Act of 1844 was for those banks to keep in their coffers one-third of gold in reference to the total amount of their issues and liabilities, I am placed in rather an embarrassing situation. Certainly some of those banks communicated to me the amount of their usual stock of gold. My impression is totally at variance with that of the hon. Gentleman as to the amount of that stock. What! was it, then, the practice of the joint-stock banks in Ireland to have in their coffers gold equal to one-third of the aggregate value of their deposits, liabilities, and promissory notes? Had the hon. Gentleman told me that their stock of gold was even one-tenth the amount of their total liabilities, I should have thought it was much more in correspondence with the fact. But, one-third? Why, if that were so, the Act of 1845 would be a great benefit conferred upon the Irish joint-stock banks. If their practice was to keep so large a proportion of gold in their coffers as compared with their total liabilities, then the Act of 1845 relieved them from a very great burden which their own discretion had hitherto imposed upon them. It afforded them facilities for extending their circulation which they had not enjoyed previously to the year 1845. If the statement of the hon. Gentleman be true, it is quite clear that the good sense of the Irish banks had established precautions against the demand for gold far beyond those which the Act of 1845 contemplated. But were there no exceptions from these wise rules? Did the hon. Gentleman ever read the history of the Joint Stock Agricultural Bank of Ireland? Does he think that that bank ever kept in its coffers gold to the amount of one-third of its total liabilities? Does he, in fact, know that such was the course which any bank in Ireland pursued? There is a general disposition to blame the Act of 1844. The real truth is, that you are suffering all the difficulties that arise from a diminution of capital, and from a contraction of credit, and your first impulse is to visit with blame that measure which, in point of fact, has prevented your difficulties from being ten times greater than they would have been. Some eighty years ago, the greatest writer that ever treated upon the subject of political economy — the author who stands in the same relation of pre-eminence to all those who have subsequently written upon that subject in which Sir Isaac Newton stands to his followers, in the sublimer science of astronomy, made the following observations:—

"No complaint is more common than that of a scarcity of money. Money, like wine, must always be scarce with those who have neither wherewithal to buy it, nor credit to borrow it. Those who have either, will seldom be in want of the money or of the wine which they have occasion for. This complaint, however, of the scarcity of money is not always confined to improvident spendthrifts; it is sometimes general through a whole mercantile town and the country in its neighbourhood. Over-trading is the common cause of it. Sober men, whose projects have been disproportioned to their capitals, are as likely to have neither wherewithal to buy money, nor credit to borrow it, as prodigals, whose expense has been disproportioned to their revenue. Before their projects can be brought to bear, their stock is gone, and their credit with it. They run about everywhere to borrow money, and everybody tells them that they have none to lend."

That is the precise condition in which we are at present. We are running about to borrow money, and everybody tells us they have none to lend. The dearth of money is a dearth of capital. You blame the law, or you blame the Government, because they cannot supply you with that which you really want — available capital to meet your exigencies. Nothing can be more delusive than the expectation you entertain, that if either Parliament or Government should give way to the foolish demand of increasing the currency, they would thereby supply the want of capital. The increase of currency would but retard the true remedy. The *vis medicatrix* is the contraction of engagements — the actual suffering that follows improvidence and ex-

cess—by preventing the operation of that remedy, more paper would only aggravate your evils; that is to say, if you intend to maintain a convertible currency. From what has this dearth of capital arisen? Why is it that commerce is restricted, and solvent men have not the means of meeting their engagements? The causes have been assigned with so much distinctness and ability, and the causes so assigned appear to me so reasonable and so just, that I am scarcely justified in dwelling at any length upon them. There is nothing novel in our present position. At all times in this country a low rate of interest, and a period of apparent prosperity, have led exactly to the same depression. When you attribute commercial distress to free trade, and to the Act of 1844, how do you account for this—that if you review the history of the last sixty years, at periods when protection was at its highest—in times of peace, in times of war—before the standard was disturbed—in the time of inconvertible paper currency, as afterwards when convertibility was established—that prosperity and a low rate of interest have led to exactly the same pressure and the same want of money you are at present experiencing? Take the year 1784. The standard had not been altered, either in respect to the gold or silver coin; yet in 1784, in order to protect the convertibility of its notes, the Bank of England was compelled to refuse advances on the Government loan, and to reduce its notes in circulation from 9,000,000*l.* to 6,000,000*l.* Previous to 1784 there had been years of prosperity, years of great speculation; but as the consequence of that undue excitement, you had the pressure that followed it, and a course of violent action on the part of the Bank, in order to protect its treasure from exhaustion. Take the year 1793; here again the standard had not been disturbed; the paper currency was then convertible. In 1792, before the war broke out, you had had a period of great prosperity; the distress began to be felt at the latter end of that year. Allow me to read an account of that distress, and you will see how exactly it corresponds with the distress of 1846. Mr. Tooke says—

"From the operation of causes which I shall not pretend to explain, the unprecedented number of bankruptcies in November, 1792, was prodigiously exceeded in number and amount by those which took place in the spring and summer of this year—105 in March, 188 in April, 209 in May, 158 in June, and 108 in July. Many houses of the most extensive dealings and most established credit failed; and their fall involved vast numbers of their correspondents and connexions in all parts of the country. Houses of great respectability and undoubted solidity, possessing ample funds, which actually did, in a short time, enable them to pay every shilling of their debts, were obliged to stop payment, and some bankers, who, almost immediately recovering from the first panic, resumed the regularity of their payments, were obliged to make a pause. * * * * It was impossible to raise any money upon the security of machinery or shares of canals; for the value of such property seemed to be annihilated in the gloomy apprehensions of the sinking state of the country, its commerce and manufactures; and those who had any money, not knowing where they could place it with safety, kept it unemployed and locked it up in their coffers."

Is not this an exact description of the present time? Does it not exactly correspond with the state of things in 1846? In what respect is it different? Again, take the year 1810; you then had almost the command of the commerce of the world, and you had all the advantage, if it be one, of an inconvertible paper currency; but the same causes, speculation and the abuse of credit, led to exactly the same evils that occurred in 1792. In 1819 the standard was restored, and promissory paper was made convertible into gold at the will of the holder. You are invited to repeal the Act of 1844. By that repeal you will restore to the Bank a discretion unlimited and uncontrolled; you will restore to the joint-stock banks their privilege of making unrestricted issues; and you will, I presume, permit the revival of private banks, and give to them the right of unrestricted issues also. Before you do this, you will, I trust, read the accounts of the transactions of the Northern and Central Bank—of the Norwich, of the Manchester, and of other joint-stock banks which issued notes professing to be convertible into gold at the will of the owner. You will find that non-restriction on issues, though accompanied by convertible paper, did not prevent a series of abuses which, when stated to the Committee, induced it to determine that the public security required a change. The simple repeal of the Act of 1844 will be the restoration of full discretion to the Bank of England, without any legislative control. In 1826, the Bank of England had that unlimited discretion. I will give you an account of the state of affairs in 1826, when no such restrictions as those imposed by the Act of 1844 existed, to fetter the power of the Bank; I will take the testimony of a most unexceptionable authority, whose name will command universal

respect—Mr. Alexander Baring, now Lord Ashburton. He thus describes the undue excitement and delusive prosperity of 1826, in terms which would, with almost equal fidelity, describe the state of affairs in 1847. He says—

"He had no hesitation in attributing the distress of the country to the extent to which the paper circulation had been pushed about eighteen months ago, and for which the country banks, and, he was sorry to say, the Bank of England, were answerable. The Bank of England, by the facilities which they afforded, had been the authors of that dangerous redundancy of money that gave rise to the wild speculations which abounded in every part of the country. It seemed as if Bedlam had broken loose on the Royal Exchange. The same frantic spirit overran the country. The bankers in London, and their agents in the country, and the customers of both, were actuated by the same universal desire to put out their money in whatever way they could. Then, all on a sudden, the very reverse of this system came into practice. A panic seized the public. Men would not part with their money on any terms. Men of undoubted wealth and real capital were seen walking about the streets of London not knowing whether they should be able to meet their engagements next day. The over-issue by the country banks was the main cause by which the distress had been widely spread. If this crisis were allowed to pass without speaking the truth, it would be only laying the foundation for future evils. Houses which were weak went immediately; then went second-rate houses; and, lastly, houses which were solvent. All confidence was lost, and scarcely one man could be found to trust his neighbour. Men were known to seek for assistance, and that too without effect, who were known to be worth 200,000*l*."

Such was the state of things in 1826. In 1836, the same causes had a similar result. I heard the President of the Chamber of Commerce at Manchester attribute to the conduct of the Bank the loss of 40,000,000*l*., sustained by the mercantile and manufacturing interests, on the great materials alone of manufacture in this country—cotton, wool, and silk. In 1839, your difficulties returned, and you were obliged to apply for the intervention of the Bank of France, for the gold in the coffers of the Bank of England was reduced to 2,000,000*l*.; and the danger was again attributed to the departure by the Bank Directors from the rules which they had themselves established. Thus you find that in successive periods—namely, in 1784, in 1793, in 1810, in 1826, in 1836, and in 1839, there were certain causes in operation. Distress was preceded by prosperity which led to a monetary crisis; by a low rate of interest; by the facilities for credit. You had a state of very active speculation leading to the contraction of immense engagements; and when they came to be tried by the test of a metallic standard of value, you find a sudden collapse, and a season of stagnation and distress. The same cause, in my opinion, is operating now. There has been, in consequence of the state of prosperity, and the low rate of interest which prevailed, undue speculation. There has been, besides this, recently adopted a mode of conducting business—devices for issuing paper—a system of re-discount of bills—which I believe to be novel in our commercial history. In this great commercial country you have erected a vast superstructure of paper currency and of paper credit on a smaller basis than any other European nation. This country and the United States attempt with a small comparative amount of the precious metals to maintain without discredit an enormous extent of promissory notes and of paper credit generally. Such a system gives, no doubt, great facilities for enterprise, but it has at the same time some counterbalancing evils. With the facilities for enterprise, the largeness of your credit, and the prodigious extent of your colonial empire, temptations are held out, and opportunities offer, for extravagant speculation when there is a low rate of interest prevailing; and if the tendency to such speculation be not checked but encouraged by that great establishment which is the centre of your commercial credit, the Bank of England, the consequences are inevitable. Establish what system you please, the stagnation of trade and monetary difficulties will follow the state of excitement. You will not incur the expense of greatly extending the basis on which your paper circulation rests. You are now calling for relaxation, you want more paper, and if you succeed in your demand you may rest assured that the more frequent will be the recurrence of a crisis like the present. The United States attempted the same thing. Notwithstanding the enormous resources of that great country—its growing commerce, its peculiar advantages from a boundless and fertile territory—because it trusted too far to paper currency and paper credit, such evils as you experience have fallen repeatedly upon it. This is the true state of your affairs; and the great object which you have to keep in view, is to reconcile a vast extent of paper circulation, and all its undoubted advantages, with that principle which is essential to its permanent credit, the guarantee of certain convertibility. It was

not until after your experience of those evils which flow from the abuse of paper credit, that you were led to accede to any proposal that had for its object the prevention of their recurrence. When the remembrance of those evils was fresh on your minds, you willingly agreed to measures which tended to fetter the issue of paper, and to impose restrictions on the Bank of England and every other bank. It is, no doubt, painful to refer to the affairs of individual houses; but I have no hesitation in saying, that if the commerce of the country be conducted on such principles as recent disclosures would denote, then you may in vain look to any legislative regulation, as a substitute for common sense and discretion, to prevent the recurrence of such calamities as we have recently witnessed. When I see the insolvency of a house, whose name I shall not mention, though it has been published in the newspapers, of which the liabilities amount to 50,000*l.*, and the assets to 3,000*l.* I cannot but say that if that be the practice of your commerce, then do not complain of the Act of 1844, or of any other measure as the cause of your embarrassments. I ask, is it not monstrous that the standard of value in this country should be tampered with in order to facilitate and to uphold such transactions as these? What security can legislation give to a bank that with 600,000*l.* of paid-up capital, lends 500,000*l.* of it to a single commercial house? What answer is it that the shareholders reposed unbounded confidence in their directors? Why did they not take an active part in the conduct of their own affairs? The bank fails, and then, like the gentleman whose liabilities were 50,000*l.*, with assets only to the amount of 3,000*l.*, they cry out, "This infernal Act of 1844 is the cause of all our difficulties. We want money, and the Act of 1844 prevents us from obtaining it." I say, on the contrary, you may thank the Act of 1844 that your difficulties are not aggravated tenfold. Just consider what would be the state of affairs if such banks as the Northern and Central Bank, and the Manchester Bank, and the Norfolk Bank, had been left at liberty to foster all this speculation by an unlimited issue of paper. Still I do not despair that the native energy of this country will be sufficient to meet the difficulty. You will, no doubt, have the same prophecies of ruin you have always had on the like occasions —you will be told that the sun of England has set—because solvent persons cannot get credit, and money cannot be had for less than 10 per cent. You will be told that the commerce of this country cannot be conducted if persons in trade have to pay 10 per cent interest for money. The commerce of this country must pay for money what money is worth; and if it be very inconvenient to pay such high interest, I ask what law can prevent it? Will you make the usury laws more stringent? It is very doubtful whether the restrictions imposed already in this respect have not acted more injuriously than otherwise on the parties for whose benefit the usury laws were intended. In 1825 and 1826 many houses of respectability were said to have sunk in consequence of the restrictions imposed by the usury laws then in existence, they having been prevented by those laws from obtaining money by paying for it what it was really worth. Those who obeyed the law would not lend the money at the legal rate of interest; and those who evaded the law required, in order to cover the risk, a greater amount of interest than they could have commanded if no restrictions had existed. It is no doubt unusual that persons engaged in commercial enterprise should have to pay 8 or 10 per cent interest; but no issue of bank notes will prevent this when there is a dearth of capital. While capital is scarce, pass what laws you please, you must pay for the use of capital according to its improved value. But, as happened at antecedent periods, the native energies of the country would have enabled us to bear all this without that severity of suffering which we now endure, if, in the midst of distress caused by undue speculation, there had not supervened an unforeseen cause which has aggravated ten times the difficulty which would otherwise have been felt. Three and thirty millions of money has been sent out of the country within a few months, or little more than a year, for the purpose of providing subsistence for the people. Under any circumstances, even in times of great prosperity, such a drain must have been injuriously felt. But when the exhaustion of capital for the purpose of purchasing food comes upon us, concurrently with the exhaustion of capital in consequence of improvident commercial engagements, it does require all the energies of this country to bear up against the double simultaneous blow. But concurrently with these two, which I conceive to be the main causes of the distress, there

has been another, namely, the application of an unusual amount of capital to a new species of enterprise, namely, the construction of railways. Now, Sir, I do not estimate the injurious effect of that application of capital so highly as some hon. Gentlemen have done. I think that, under ordinary circumstances, such an application of capital might be advantageous. You are, by the extension of railways, laying the foundation of great future prosperity; and, in estimating the present embarrassments caused by the sudden application of so much capital to this enterprise, you must at all events deduct that amount of pressure which would have followed from the application of a large amount of that capital in the formation of foreign railways, and the promotion of other foreign enterprises. I believe that if you had not had the demand for food from abroad, and the sudden contraction of credit in consequence of improvident commercial enterprises, you would have been able to bear the demand for the capital that has been applied to railways. The capital thus applied is not a dead loss. The time will shortly arrive when these railways will be completed without loss, I trust, to those who have thus employed their capital. When I think of the saving of time and expense in the transit of goods and passengers which will be effected, I cannot doubt that railways will ultimately prove the source of improvement and prosperity to the country. But at present, I admit, the cost of their construction so operates as to increase the pressure arising from other sources. A banker is but the intervening agent between those who possess capital and those who want to borrow it. The banker receives deposits from every class, and heretofore has been accustomed to devote the bulk of those deposits to the promotion of commercial enterprise. Suddenly there comes a large demand for money to promote a new species of enterprise. This leads to a new application of capital, a diminution of deposits, a contraction of the amount of money heretofore available for ordinary commercial purposes, and of course increases the difficulties under which we labour. But of the three causes which have operated concurrently, the last—the application of capital to railways—has been, in my opinion, instrumental in a minor degree in causing your difficulties, and the stagnation which you now experience.

I must say a word with respect to the letter to the Bank of the noble Lord and the right hon. Gentleman. Not being in the habit of reposing my confidence in them, nor being in the sense of party one of their ordinary supporters, I feel bound to state my concurrence when I agree with them. I do then cordially approve of the course which Her Majesty's Government took on the occasion which led to the issue of that letter. I think they were perfectly right in not issuing the letter sooner than they did. The true remedy for the state of things under which the country is suffering, is individual exertion, the limitation of engagements, thec essation of all demands which can be postponed; and if the Government had at an earlier period signified their intention of relaxing the law, they might, in my opinion, have materially discouraged those individual exertions which must be, after all, our main hope. But when there occurs a state of panic—a state which cannot be foreseen or provided against by law—which cannot be reasoned with, the Government must assume a power to prevent the consequences which may occur. There is the necessity for a discretion which I think was properly exercised in the present instance. It was better to authorise a violation of the law, than to run the risk of the consequences which might have ensued if no intervention on the part of the Government had taken place. I consider that the issue of that letter was not an impeachment of the law. I entirely differ from those who contend that its issue is a conclusive proof that there ought to be a discretionary power invested by law in some authority to meet cases of panic. The case of panic cannot, in my opinion, be provided for by law. It is one of those cases the precise character and circumstances of which cannot be foreseen; and, as Mr. Huskisson says, not legislation, but the discretion of the Government, must meet it. Sir, I think that the Government were justified in issuing that letter. I think that, having issued, it they acted with the strictest regard to constitutional principle in forthwith summoning Parliament. If there had been a violation of the law, the first appeal to Parliament must have been for indemnity; but it turns out that there has been no violation of the law; and I know not how Parliament can give indemnity for not violating the law. I think Government were perfectly right in suggesting to the Bank the rate of interest at which, after the date of the letter,

accommodations should be granted, and that it would have been unwise to trust the Bank with an unlimited discretionary power. There would have been a pressure on the Bank, and its natural sympathies would have been with those whom they saw suffering; and the better course was for the Government which undertook to sanction a violation of the law, if necessary, themselves to prescribe the condition on which the law should be violated, rather than to throw on the Bank the responsibility of fixing the rate of interest. The demand of a high rate of interest, whether with or without the sanction of the Government, was a necessary consequence of permitting the Bank to violate the law.

Sir, I will not now discuss the question—of course it will be considered maturely in the Committee—whether there should be any modification of the Act of 1844. I should be acting a part unworthy of a Member of Parliament if I permitted any dread of a charge of inconsistency to prevent me from giving a full consideration to the whole of the subject. My own impressions, I admit, are in favour of the maintenance of the great principles of that measure. I think that you ought to continue the restrictions on private and joint-stock banks. I think you ought to require of these banks to bear some share of the expense of keeping in reserve a stock of gold. I think also that if you do not impose the identical restrictions now imposed on the Bank of England, some restriction you must impose; for, after the experience of 1826, 1836, and 1839, I, for one, am not content to leave the regulation of the monetary concerns of this country to the uncontrolled discretion of the Bank. In 1844, the general conviction was that it ought not to be so left; and I, for one, know no better mode of imposing restriction than that which was devised by the Act of 1844.

Sir, I heard, with great satisfaction, the speech of my right hon. Friend (Mr. Herries), in which he declared his inviolable adherence to the principle of a metallic currency. I have no great apprehensions on that head. If I thought that some of the opinions which I have heard delivered in the course of this debate were likely to prevail, I should indeed feel the greatest anxiety with regard to the security of property, and to the stability of commercial enterprise. I think I heard from the hon. Member for Wakefield, last night, a recommendation that the Government should pay off its debt of 14,000,000*l.* to the Bank, and should pay it in inconvertible paper. Sir, if the Government is to set the example of paying its just debts in inconvertible paper—in paper for which there is to be no other equivalent than some other paper—if that is to be the example set by the Government, I foresee that individuals in a similar difficulty will be glad to profit by that example. But I cannot believe that this House will sanction such an injustice as that the Government shall pay the Bank the amount of a public debt in inconvertible paper. The Member for Stafford proposed that we should have convertible paper, but with a fluctuating standard. What is the meaning of that? The meaning practically is the system of assignats. To pay off notes in gold, at the market price of gold, is nothing more nor less than this, to depreciate the value of the gold by the issue of the paper, and to pay your debt in the depreciated value caused by your own issue. If you are to issue paper without limit, and to redeem the paper in gold, at a price of gold to be determined by reference to paper, there can be no assignable limit to the depreciation. If you issue a fixed amount of paper currency, no doubt there may be some limit to its depreciation, but an unlimited paper currency, to be paid in a fluctuating standard, means neither more nor less than the restoration of the system under which the paper currency of France, bearing a certain nominal value, was depreciated some 400 or 500 per cent. Sir, my security against all these projects is in the necessity for filling up the blank which follows the words "I promise to pay." I care not how you fill up that blank, provided that you really intend to maintain a convertible paper currency, because I know, however you fill it up, precisely the same consequence will result with regard to every person in the community, except, indeed, to him who is in debt. If you promise to pay two pennyweights of gold instead of four pennyweights, your promissory paper will just have credit for what it is really worth, and no more. There will not be the slightest difference as to facilities for getting money—there will not be the slightest additional security against stagnation in trade; not only the foreigner but the inhabitant of this country will estimate the value of the paper according to the real value of the coin of which it is the representative; and unless

he stand in the situation of a debtor he will gain no advantage whatever. Now my firm impression is, that this House will imitate the example of its predecessors. In 1822, when this House was about to enter into an inquiry into commercial distress, it assented to a Motion made by Mr. Huskisson, and resolved—

"That this House will not consent to make an alteration in the standard coin of the realm."

Again, in the year 1833, upon the Motion of Lord Althorp, the House re-affirmed that resolution. If there should be a necessity for it, I feel convinced that the House, on an enlarged consideration of public policy, will re-affirm those resolutions. Rely upon it there is absolutely nothing in the argument that the commercial transactions of this country have so increased, that the ancient standard is incapable of being maintained. The hon. Member for Westbury has justly observed that we are in error when we speak of the price of gold, and that a promissory note is nothing else but a promise to pay a certain definite weight of gold. Sir, the definition which the hon. Gentleman gave is perfectly correct. The promissory note is a promise to pay a definite weight of gold, and price does not enter into consideration. You may call a 5*l.* note by the name of a 10*l.* note, but you will not in the slightest degree alter the real value of your currency. When you reflect what, under the present standard of value, has been the increase in the prosperity of this country—when you find, with the present standard of value, the decennial increase in the declared value of your exports, which I think in ten years ending in 1831, was not more than 36,000,000*l.*, which increased in the next decennial period to 46,000,000*l.*, which in the three last years was not less than 59,000,000*l.*—you will find a conclusive proof that the ancient standard of value is not incompatible with the greatest enlargement of your commerce. Whatever, therefore, may be your opinion of this law of 1844, my hope is, that this House will show the same regard to justice and good faith which have been shown by their predecessors—will bear in mind that whether the policy of the Act of 1819 was or was not a wise policy, the transactions that have been entered into since 1819 are as ninety-nine to one of the transactions before that period that remain unclosed—that their regard for good faith—their regard for the permanent interests of the country—their regard, above all, for the condition of those who earn by their industry the wages of labour—will induce this House of Commons to uphold the standard which, after long struggling, has been established and maintained by the wisdom of Parliament.

Mr. STUART moved that the debate be adjourned.

The House divided on the question:—Ayes 45; Noes 257: Majority 212.

List of the AYES.

Baillie, H. J.	Hudson, G.
Baring, T.	Ingestre, Visct.
Bentinck, Lord G.	Knox, Col.
Blewitt, R. J.	Masterman, J.
Bremridge, R.	Moore, G. H.
Broadwood, H.	Muntz, G. F.
Brooke, Lord	O'Connor, F.
Cabbell, B. B.	O'Flaherty, A.
Cobbold, J. C.	Prime, R.
Deering, J. P.	Renton, J. C.
Disraeli, B.	Rufford, F.
Forbes, W.	Scholefield, W.
Fox, S. W. L.	Scott, hon. F.
Granby, Marq. of	Smyth, J. G.
Greene, Capt.	Stafford, A. O'B.
Grogan, E.	Stephenson, R.
Hamilton, G. A.	Tollemache, J.
Heald, J.	Waddington, D.
Henley, J. W.	Wakley, T.
Herries, rt. hon. J. C.	Walsh, Sir J. B.
Hildyard, R. C.	Willoughby, Sir H.
Hildyard, T. B. T.	TELLERS.
Hindley, C.	Stuart, J.
Hodgson, W. N.	Newdegate, C. N.

List of the NOES.

Abdy, T. N.	Burroughes, H. N.
Adair, H. E.	Buxton, Sir E. N.
Adair, R. A. S.	Campbell, hon. W. F.
Anson, hon. Col.	Cardwell, E.
Anson, Visct.	Carew, W. H. P.
Attwood, J.	Caulfield, Col.
Bailey, J.	Chaplin, W. J.
Baines, M. T.	Childers, J. W.
Baring, rt. hon. F. T.	Clay, J.
Barnard, E. G.	Clay, Sir W.
Barrington, Visct.	Clerk, rt. hon. Sir G.
Bell, J.	Clive, Visct.
Bellew, R. M.	Cockburn, A. J. E.
Benbow, J.	Cocks, T. S.
Birch, Sir T. B.	Coke, hon. E. K.
Blackall, S. W.	Colebrooke, Sir T. E.
Bolling, W.	Coles, H. B.
Bourke, R. S.	Conyngham, Lord A.
Bouverie, E. P.	Coope, O. E.
Bowring, Dr.	Cotton, hon. W. H. S.
Boyd, J.	Courtenay, Lord
Boyle, hon. R. E.	Cowper, hon. W. F.
Brackley, Visct.	Craig, W. G.
Bramston, T. W.	Cubitt, W.
Brisco, M.	Davie, Sir H. R. F.
Brocklehurst, J.	Dawson, hon. T. V.
Brotherton, J.	Deedes, W.
Brown, H.	Denison, J. E.
Bruce, Lord E.	Devereux, J. T.
Buller, C.	Divett, E.
Bunbury, E. H.	Drumlanrig, Visct.
Burke, Sir T. J.	Drummond, H.

Duckworth, Sir J. T. B.
Duff, G. S.
Duke, Sir J.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Du Pre, C. G.
Ebrington, Visct.
Edwards, H.
Ellice, right hon. E.
Elliot, hon. J. E.
Evans, J.
Evans, W.
Ewart, W.
Fagan, W.
Farrer, J.
Fergus, J.
Ferguson, Sir R. A.
Ffolliott, J.
Fitzpatrick, J. W.
Fitzroy, hon. H.
Fitzwilliam, hon. G. W.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Freestun, Col.
Gardner, R.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Godson, R.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Grace, O. D. J.
Greenall, G.
Greene, T.
Gregson, S.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Guinness, R. S.
Gwyn, H.
Hall, Sir B.
Hanmer, Sir J.
Hastie, A.
Hay, Lord J.
Headlam, T. E.
Heathcote, Sir W.
Herbert, H. A.
Hervey, Lord A.
Heywood, J.
Hodges, T. T.
Hogg, Sir J. W.
Hood, Sir A.
Hornby, J.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Humphery, Ald.
Hutt, W.
Inglis, Sir R. H.
Ireland, T. J.
Jackson, W.
Jermyn, Earl
Jervis, Sir J.
Jervis, J.
Keogh, W.
Keppel, hon. G. T.
King, hon. P. J. L.
Labouchere, rt. hon. H.
Langston, J. H.
Lemon, Sir C.
Lennox, Lord A.
Lewis, rt. hn. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
M'Gregor, J.
M'Naghten, Sir E.
Magan, W. H.
Mahon, The O'Gorman
Maitland, T.
Marshall, J. G.
Marshall, W.
Martin, J.
Martin, S.
Matheson, A.
Matheson, Col.
Melgund, Visct.
Moffatt, G.
Monsell, W.
Morgan, H. K. G.
Morpeth, Visct.
Morison, Gen.
Noel, hon. G. J.
Nugent, Sir P.
O'Brien, J.
O'Brien, Sir L.
O'Brien, T.
O'Connell, M. J.
Ogle, S. C. H.
Osborne, R.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmer, R.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pechell, Capt.
Peel, rt. hon. Sir R.
Perfect, R.
Peto, S. M.
Pilkington, J.
Plumptre, J. P.
Plowden, W. H. C.
Power, Dr.
Power, N.
Price, Sir R.
Raphael, A.
Rawdon, Col.
Repton, G. W. J.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Robinson, G. R.
Roche, E. B.
Romilly, J.
Russell, Lord J.
Russell, F. C. H.
Salwey, Col.
Sandars, G.
Seaham, Visct.
Seeley, C.
Seymour, Lord
Seymour, Sir H.
Shelburne, Earl of
Sidney, T.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, M. T.
Smith, J. B.
Smollett, A.
Somerton, Visct.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stanley, hon. E. J.
Strutt, rt. hon. E.
Stuart, Lord D.
Sturt, H. G.
Sutton, J. H. M.
Talfourd, Serj.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Thornhill, G.
Towneley, J.
Turner, G. J.
Tynte, C. J. K.
Verney, Sir H.
Vivian, J. H.
Walmsley, Sir J.
Walpole, S. H.
Walter, J.
Ward, H. G.
Watkins, Col.
Wawn, J. T.
Welby, G. E.
West, F. R.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wortley, rt. hon. J. S.
Wyld, J.
Wyvill, M.
Young, J.

TELLERS.

Hill, Lord M.
Tufnell, H.

Amendment moved by Mr. J. WILSON withdrawn.

Original Motion for the appointment of a Committe carried.

House adjourned at half-past One o'clock.

HOUSE OF LORDS,

Monday, December 6, 1847.

MINUTES.] *Took the Oaths.*—Several Lords.

PETITIONS PRESENTED. From the Board of Guardians of Waterford, praying that Loans may be granted, through the Board of Works, for Reproductive Labour throughout Ireland.—From Master and Brethren of Sherburn Hospital, in the county of Durham, and others, for the Adoption of Measures to Impose the Severest Penalties on all those Roman Catholic Priests who shall Denounce Persons from the Altar.

ROMAN CATHOLIC BULLS.

The BISHOP of ST. ASAPH presented a petition from the Master and Brethren of Sherburn Hospital, in the county of Durham, against the introduction and circulation in Ireland of the bull known as *In Cœnâ Domini*, the same being forbidden in many Roman Catholic countries of the Continent. The right rev. Prelate characterised the subject as one of extreme importance, and expressed a hope that its circulation might be suppressed.

LORD BEAUMONT said, beyond a doubt the right rev. Prelate, having had that petition entrusted to him, was perfectly justified in calling the attention of the House to it. He (Lord Beaumont) might explain, however, that ever since the adoption of the Reformed religion in England, some bull or document of that description

had annually proceeded from the Propaganda of Rome. The Court of Rome annually denounced certain errors: they believed that this country, and that the Sovereign of this country, were in a state of error, and they therefore expressed their horror at the erroneous doctrines this country was supposed to have adopted; while they hoped that all good Catholics would pray for their conversion. That was the object of the bull: it was merely a form, which had been continued with the view of denouncing certain errors, just as their Lordships denounced the pretensions of the Pretender, and other errors. He certainly looked upon the form as an absurd and ridiculous one, and, like many other forms, he wished it was abolished. He believed, however, that all these proceedings resulted from the want of connexion between this country and the Court of Rome. We had our Ambassador at Constantinople, and our Minister at Persia. In every part of Europe and Asia we had the means of making known to the governing Powers the wishes and feelings of the English Government; but the bigotry of this country had refused to put itself into communication with a Power which it acknowledged just as much as it acknowledged the Duke of Tuscany or the Emperor of Austria. He hoped the time would come when those prejudices should be laid aside, and when this country should be fairly represented at the Papal Court; for he was sure every one was now convinced that, if fair representations were made to that Court of the state of things in this country, it would put an end to all existing anomalies; and the spirit of reform which was now manifesting itself in Italy, would extend beyond that country, and would improve the spirit of its foreign relations as well as of its internal administration. We then might expect to see it reform its tone and conduct towards members of religions differing from its own, and wipe out those many stains in its polity which did no good to the See of Rome, but which were fraught with mischief to many, inasmuch as they shocked the feelings of some, and misguided the ignorance of others.

Petition to lie on the table.

DENUNCIATIONS BY THE ROMAN CATHOLIC PRIESTS IN IRELAND.

Lord FARNHAM, seeing the noble Lord the Lord President of the Council in his place, rose to put the questions of which he had given notice, in reference to the recent denunciatory speeches said to have been delivered by Roman Catholic priests in Ireland, having a tendency to excite the people to the commission of crime, and which had been in some instances immediately followed by the perpetration of murder. In justification of the course he was about to pursue, he would, in the first place, take the liberty of mentioning certain facts in connexion with the subject, and of quoting from certain of the speeches to which he referred. When he should have done so, he thought their Lordships would concur with him that he had made out a case which perfectly justified him in putting the questions of which he had given notice, and in entertaining a hope that he should receive a favourable answer from Her Majesty's Government. In proposing these questions, however, which he conceived to be most important, he must disclaim altogether being influenced by any unfriendly feeling towards the Government; for he begged to assure them that no individual could be less disposed to put them to unnecessary inconvenience, or to throw any obstacle in the course of the arduous duties which they had to perform with reference to Ireland, than he should be. At the same time, also, he begged to disclaim any intention or wish to make an attack upon the body of Roman Catholic priesthood of Ireland. He would admit that there were many most admirable individuals in that body, and he knew no better or more honourable men than some of those whose names he should have to submit to their Lordships. He had in his own neighbourhood invariably received the most valuable assistance from them in relieving the poor; and he confidently expected that if the crimes which were prevalent in that neighbourhood two years ago should again become rife, he should receive from many the most cordial co-operation in any measures which he as a resident gentleman, never shrinking, he trusted, from his duty, should always be anxious to render to Her Majesty's Government. With reference to the conduct of the Roman Catholic priests, he would begin by calling their Lordships' attention to a passage which he had as much pleasure in reading as he was sure their Lordships would have in hearing. It was an extract from an address of a Roman Catholic prelate (the Rev. Dr. Ryan) from the altar of a chapel in the county of Limerick:—

"If the people of this country had not fallen back to a state of wickedness and depravity, and forgotten in their vices their Christian obligations, how is it possible that in a land like Ireland, blessed with fertility, glorious in the produce of nature, and ample in its natural resources, the poorer classes should be steeped in such wretchedness and misery? The land is in a state of wildness, while the occupiers and labourers indulge in wickedness and depravity."

These were sentiments which should proceed from the mouth of a Christian. He had also the satisfaction of referring their Lordships to another fact. Within the last week that excellent man, the Rev. Father Mathew, had addressed some thousands (in Tipperary, he believed, or at all events in some place where crime was raging), and in the most forcible language had denounced murder, had cautioned the people against being led away by designing persons into the commission of so atrocious a crime, and had warned them of the consequences which, though they might not overtake them here, would be sure to await them in another world. Their Lordships were probably aware of the great influence possessed by the Roman Catholic clergy in Ireland over the people. In most cases taken from their body, residents amongst them, and endeared to them by the many acts of kindness which they had the opportunity of showing, they commanded the love, the confidence, and the esteem of the people. There was another power also possessed by the Church, which made the Roman Catholic priest even more powerful still. The priest was invested with the power of confessing, of giving absolution, and of administering extreme unction. This gave him immense power, so that if he should be an evil-disposed man the mischief he might do would be infinitely more in proportion than the well-disposed could effect. He would now submit to their Lordships speeches from priests of a far different stamp from those to whom he had as yet referred. He should first give two instances from speeches delivered by Roman Catholic priests from the platforms of public meetings, and then he should quote from their addresses from the altar of God. The first speech was that of Archdeacon Laffan, delivered at a public meeting at Cashel, on the 14th of November, when the country was in the greatest state of alarm—when every loyal person, whether Protestant or Roman Catholic, was exposed to danger—when murder of the most atrocious character was rife — and when a murderous attack had just been made upon one of the most valued and respectable men in that part of the country. Under such circumstances, Archdeacon Laffan, in seconding a resolution, said—

"In doing so he rose with a feeling of deep sensation. He looked around him and he saw an assemblage of his brother Tipperary men—the good and the noble-hearted, though, perhaps, excitable Tipperary men—who were called by the Englishmen murderers. The Saxon scoundrel, with his bellyful of Irish meat, could very well afford to call his poor, honest, starving fellow-countrymen savages and assassins; but if in the victualling department John Bull suffered one-fifth of the privations to which the Tipperary men were subject, if he had courage enough, he would stand upon one side and shoot the first man he would meet with a decent coat upon his back. But the Saxon had not courage to do anything like a man: he growls out like a hungry tiger."

It was true the archdeacon concluded by calling upon the people to support the law; but was not that like the conduct of the ruffian who denounced the house to the flames, but having put the torch into the hands of the infuriated mob, told them not to set the house on fire. An hon. Gentleman, who was chairman of that meeting at Cashel, rose in his place in the other House of Parliament, and thus explained his conduct. That hon. Gentleman (Mr. Maher) said—

"As chairman of the meeting at which Archdeacon Laffan made the speech which had been referred to, he wished to say a few words with regard to it. Had that venerable clergyman continued his speech as he commenced it, he (Mr. Maher) should have felt it to be his duty, as chairman, to have reprimanded him. But having concluded, as he knew he always did conclude, by calling upon the people to support the laws, and to strengthen the Government, by handing over to the law the perpetrators of such crimes, such a course was unnecessary."

But it appeared to him (Lord Farnham) that the hon. Gentleman should not have forgotten that the individual who always concluded a speech thus, most probably always commenced it in some such terms as he had just read to the House. The next speech to which he would call their Lordships' attention was, if possible, still more improper than the last. It was delivered at a meeting at Castlebar, in the county of Mayo, on the 25th November, by the Rev. Mr. Hughes. That rev. gentleman said—

"The poor are left to the mercy of those heartless extortioners (landlords); their cattle are seized and driven to the pound for the least defalcation; their lands are unproductive and barren—in fact, the law seems to be enacted for the purpose of crushing and annihilating this unfor-

tunate class, and no alteration takes place in regard of the proprietors; they are still left to the lash of the driver. The poor are sacrificed to the rapacity of the rich, and nought remains to the poor but the wild justice of revenge. The proprietors are not interfering to remedy your grievances. I hope, therefore, you will do it yourselves. [This sentiment was responded to with cries of 'Let them remember Tipperary.'] There was a person at the fair of Roscommon the other day, who came up to a respectable man and asked him to point out a certain gentleman, as he was determined to rid the country of such a tyrant. Fortunately, the person sought for was absent, and thus escaped assassination. See (continued Mr. Hughes) what an unfortunate state society is reduced to by the cruelty of bad landlords; and, unless there is relief extended to the poor, I fear the consequences."

These remarks were repeatedly interrupted by such cries as the following—A Voice: "We must get bread, or by ——." A Voice: "Arrah! we must get it, boys! bread, work, or blood!" The poor Irish were told by that priestly agitator that nought remained for them but the wild justice of revenge. The Irish were a very quick and intelligent people, and did not require, like the English, matter to be clearly and explicitly demonstrated to them before they could comprehend them. They well knew what that meant; and he would ask what chance the law had of restoring peace and tranquillity, or of relieving distress, when the lesson they were taught was to look for redress, not to the laws, but to the wild justice of revenge? He knew well the responsibilities which rested upon the Irish landlord—he felt that the landlord had duties which it was incumbent upon him to discharge; but he believed he was justified in stating, that no men did their duties better or more efficiently than the landlords of Ireland, more especially the resident portion; and when he said the "resident portion," he wished to assure the noble Marquess (the Marquess of Lansdowne), that though he (the Marquess of Lansdowne) was not resident in Ireland, he paid as much attention to the poor and discharged his duties as a landlord as well as any resident in the country. But it was in vain that they sought to introduce measures to remedy the relation between landlord and tenant, or to improve the social condition of the country in any one particular—in vain they might attempt to improve the commercial interests of the country, or to improve the state of her agriculture under the present bad system which prevailed in Ireland—so long as the people were told that the only remedy they were to look to was the wild spirit of revenge. He now came to the denunciations from the altar of the house of God. The first case was a very extraordinary one, and he believed the murder of the individual it related to took place about six months since. He would read the evidence of a priest with regard to it before a coroner's jury in the county of Tipperary—it was the case of a very poor man named Callaghan, who had been murdered. The priest was asked at the examination—

"Did you denounce the murdered man from altar?—I did.

"When did you denounce him?—On Sunday at mass.

"When was he murdered?—At five o'clock the same evening."

The case required no comment. The next case was connected with a murder which took place in the beginning of November—the murder of one of the best landlords and one of the most valuable and useful men in the whole county—he meant the late Major Mahon. In order to show how the Major was respected, he would read some extracts from letters written to him by the Rev. Mr. M'Dermott. The first ran thus:—

"I beg to assure you of my sincere gratitude for your kindness towards myself personally, and your encouragement to the improvement and industrious habits of my parishioners, since you came to reside amongst us. May Almighty God render to you the full reward of your good intentions, and grant you long life to reap the fruits of your kindly disposition in the affections of your poor tenantry!

"I am, dear Sir, with the highest respect and gratitude, your obedient humble servant,

(Signed) "Michael M'Dermott."

The second was even stronger, and ran thus:—

"I always use my utmost exertions to promote peace among the people; and above all, respect and punctuality to their landlords and the proprietors of the soil.

"I remain, dear Sir, with deep sentiments of gratitude and esteem, yours sincerely,

(Signed) "Michael M'Dermott."

What a change came over the mind of the priest, for next they found him saying—

"There is Major Mahon absent from you all the winter. Not looking after your wants or distress, but amusing himself, and he returns and finds his property all safe—his place unmolested; and the return he makes you is, the burning and destroying your houses, and leaving the poor to starve on the road."

And what was the character of the man who was so inhumanly murdered? He had an extract from a letter written by a Roman Catholic physician, who was in the

carriage with the Major when he was shot. He said—

"It gives me sincere pleasure to state, that from the time I got into the phaeton with my sincere, kind, and lamented friend, Major Mahon, our only and entire conversation (up to the fatal moment) was, how the poor of this town could be made comfortable. 'Point out to me what is best to be done, and we shall be able to keep them from destitution. They shall get plenty of bread; and I think by getting on market days some cow heads and plain joints of mutton, with whatever Mrs. Mahon can send us from Strokestown House, we shall be able to support the poor at a moderate expense. You will apply to Mr. M'Dermott for the boiler, and we shall get it erected in one of the houses in Church-street, and then appoint some respectable person to superintend it, according to our directions. By giving a little of our time we shall do much good.' * * * * I will at all times be ready to defend the character of one of the most maligned and murdered gentlemen that occurred in this or any other country."

The expressions used by Priest M'Dermott, in denouncing Major Mahon from the altar, on the 31st of October, were — "Major Mahon is worse than Cromwell, and yet he lives." A respectable person coming out of chapel remarked, "If the Major lives a month after this he is immortal." And on the 14th of November ult., the same priest (the Rev. Michael M'Dermott) stated from the altar, that "there was a Protestant conspiracy against his life," and made palpable allusions to two persons in the town of Strokestown as heading the same. He (Lord Farnham) left it to the Members of their Lordships' House who were conversant with the law to state whether such language and such conduct did not render the parties amenable to punishment. At all events, he had felt it his duty to bring them before their Lordships. No individual could be more opposed to stringent measures, or to any measures which had a highly penal character, than he was himself, unless an absolute necessity existed for them; but he maintained that, at this moment, a case of absolute necessity did exist. On this point he begged leave, with the greatest respect, to differ from the noble Marquess (the Marquess of Lansdowne). The noble Marquess, he observed the other night, laid particular stress on the statement that in some parts of Ireland these crimes did not prevail. He (Lord Farnham) believed that the whole of Ireland was actually in the same state of danger. There was a wide and deep-rooted conspiracy in Ireland, and though these crimes might not, in the present hour, make their appearance in any particular division, or barony, or county, they might at any one moment burst forth, and, without the strongest provisions—provisions of a most coercive character—no human power would be able to stop their ravages and devastation. He had no object but a public one in bringing these statements of danger before their Lordships, nor was he for taking a desponding view of things; but he certainly was not going too far when he stated that crime existed, both in degree and character, which would disgrace the meridian of New Zealand. There was no civilised country upon the face of the earth in which the ingredients of crime were more effectually at work at the present moment than they were in Ireland; and there was no period of history, even taking all the bloody annals of this same Ireland, in which there was a greater degree of atrocity and crime than existed there at the present moment. He confessed he could not distinguish one single ray of hope to relieve the darkness of the horizon. He trusted, therefore, that measures—prompt, coercive, and vigorous, because none other could be effective—would be speedily applied, and be persistingly and constantly followed out until the evil was eradicated. He repeated that, in the present state of Ireland, no other measures whatever would be of the slightest avail. But what would be the case if crime was allowed to go on—he did not mean by Her Majesty's Government, but by the weakness and inadequacy of the law? He was as morally certain as he was of his own existence, that nothing but strong coercive measures would be effectual. If witnesses dared not come forward to give evidence of murders they had seen with their own eyes—if jurors, with the best intentions of bringing guilty individuals to punishment, dared not, on the peril of their lives, find a verdict of guilty—and if the great majority of the jury, being willing to bring in a verdict of guilty, were intimidated by one man who acted from bad motives, being himself *particeps criminis*, a confederate of the accused—if no witnesses would come forward, and no convictions could take place, the whole county would soon be found criminal; and by measures not being immediately brought forward, and persistingly acted upon to repress it, crime—horrid as it now was—would in a very short time become infinitely more horrid. It would be found that familiarity with crime would involve, as agents in the work of massacre, persons

who at the present moment would shudder at the very idea. When they heard of murder after murder, from north, east, south and west, they must necessarily become familiar with their perpetration; and for this reason he called on their Lordships, and on the other House of Parliament, if they valued (as he hoped they always would) the connexion of the two countries, if they valued the safety and security of human life, to enact nothing short of measures so vigorous as would crush this monster evil, which was making the country a very curse to its inhabitants. He was speaking strongly, but not too strongly. One or two other observations he must trouble their Lordships with. In corroboration of the strong view he had taken of the criminal state of Ireland, and of the absolute necessity of interfering with stringent powers, he would refer, not to his own sentiments, but to those of the avowed organ of the Government in Ireland :—

"We are sick and horrified in repeating these terrible details. Something speedily must be done. It need not be said, how strenuously we have argued against the suspension of the Habeas Corpus Act; but we shall support any measures —all measures—which may tend to put a stop to these atrocities"*

As he had stated on a former occasion, he felt deeply thankful to Her Majesty's Government for the measure they had introduced into the other House. He did not, however, think it would be effectual in meeting the case in any degree ; but felt thankful to them, because it was taking a step in the right direction. And on this subject, perhaps, the noble Marquess (the Marquess of Lansdowne) would allow him to read the opinion of the *Pilot* newspaper, which was the organ of the bad section of the Roman Catholic priests in Ireland :—

"The sympathy of the people with the agrarian disturbers is admitted, and they propose as a remedy to render it a punishable offence in any grown person to refuse to aid the police in the pursuit and capture of a murderer. The Irish people are admirably acute, as well as impulsive and susceptible. They see the police one day, in all the parade of armed power, go out with a landlord or an agent and a bevy of baliffs, to tear down houses, to burn roof-trees, to quench hearth fires, to cast out men, women, and children, perhaps diseased and fever-stricken ; they see these die by the ditch-side. The police stand by to protect the actors in these scenes, where all is done according to law. The next day some miserable assassin, prompted by instinct far removed from deliberate savageness, deprives some of those agents of life, and the police call upon those same people to pursue and hunt down the murderer. Does any one imagine the people will do any such thing? For our parts we believe they will not ; and, notwithstanding any obloquy to which we may be subjected, we maintain they ought not. And why? Because when the law demands obedience it should give protection ; but it does not."

* *Dublin Evening Post*, Nov. 30, 1847.

He begged their Lordships' pardon for trespassing upon them at such length. He had brought forward the subject sorely against his will, but in discharge of what he conceived to be a solemn duty. He was as much attached to Ireland as any person born in that country could possibly be; he therefore wished to see her happy and prosperous. He wished to see all classes of the people contented. He wished to see the landlord enjoy his just rights, and the tenant content with the security which he had a right to expect. But give him any law rather than the "law of the wild justice of revenge." In conclusion, he trusted the House would receive the assurance of Her Majesty's Government that, so far as they could, they would prevent the repetition of such language as he had described — language disgraceful in the highest extreme to any man, but totally indefensible coming from the lips of a man clothed in the garb of a minister of religion, making use of the enormous power which he possessed over a great body of the people, not for the purpose of promoting peace and contentment, but for the purposes of assassination and shedding of blood. The noble Lord concluded by asking Her Majesty's Government — 1st. Whether these speeches have been submitted to the law officers of the Crown? 2nd. Whether, if so, in their opinion in the present state of the law, they would warrant a criminal prosecution? 3rd. Whether, in that case, the Government have directed, or intend to institute, such criminal prosecution? 4th. Whether, in the event of the answer of the law officers of the Crown being in the negative, it be the intention of the Government, to amend and strengthen the law, in this respect?

The MARQUESS of LANSDOWNE said, the noble Lord had had the kindness to inform him of his intention to put these questions. The observations with which, not unnaturally, the questions were accompanied, had been made in a tone and temper, and with a degree of force and clearness, calculated to command the most respectful attention. He, therefore, felt most anxious, as he should in any case, but

particularly after the observations of the noble Lord, to give the noble Lord every satisfaction in his power with regard to this most important and delicate subject. Most sincerely did he wish it was in his power to say that he had reason to believe that the reports to which the noble Lord had alluded were unfounded; most sincerely did he wish he could say that he had not gathered from the information which had reached him that, in many quarters in Ireland, not only in public meetings, but in places devoted—or which ought to be devoted—to purposes of the most sacred character, sentiments had been uttered and language had been held most mischievous to the existence of society, and, if possible, still more inconsistent with that Christian doctrine and that Christian charity of which those who uttered them professed, but in these instances falsely professed, to be the ministers and the expounders. These cases, he was afraid, did exist; but if the noble Lord asked him to state what steps had been taken by the Irish Government in consequence of these cases, he must reply, that he was not enabled to state positively that any such steps had been taken as those to which he referred. This, however, he would say, that they had attracted the most serious attention of his noble Friend at the head of the Irish Government. His noble Friend had been—and would, if necessary, continue to be—in communication with his law advisers; but he (the Marquess of Lansdowne) was not enabled to explain that, up to this moment, there had been more than one sworn information relating to circumstances of the character which had been described. This information had been referred to the law officers of the Crown, and it was now under their consideration. Their Lordships would upon consideration feel that there was a wide difference between the prevalence of reports of certain language having been held either from the altar or in public meetings, and the certainty of being able to prove it, so as to bring the parties uttering it to conviction. These circumstances formed a very important ingredient in the duty entrusted to the noble Earl at the head of the Irish Government. All he could say upon them was, that the noble Earl was exercising his discretion with the greatest desire to bring the authors of such outrages, for he would call them outrages, inasmuch as they were the incentives to outrage—to that condign punishment which they deserved. Nor let the noble Lord or that House think that the law as it now existed, was without the means for that purpose, or that it might not be always in the power of justice to procure the necessary evidence to make it effectual. The Statute-book was clear upon this subject. In the first place, he believed that noble and learned Lords connected with the law would concur with him when he stated that to incite persons to violate the law, was itself, by the common law, a misdemeanor which might be severely punished. The law, however, did not stop there. Not a great many years ago, an Act for the special purpose of applying to Ireland an Act for the punishment of persons inciting others to acts of outrage and violence, and making the attempt felony, was passed; and it might be satisfactory to their Lordships to read the terms of this law, because it was most desirable that offenders should know the amount of criminality they incurred. By the Act of 9 Geo. IV., c. 54, s. 23, it was enacted—

"And for the more effectual prosecution of accessories before the fact to felony, be it enacted, That if any person shall counsel, procure, or command any other person to commit any felony, whether the same be a felony at common law, or by virtue of any statute or statutes made or to be made, the person so counselling, procuring, or commanding, shall be deemed guilty of felony, and may be indicted or convicted as an accessory before the fact to the principal felony, either together with the principal felon, or after the conviction of the principal felon: or may be indicted for, and convicted of, a substantive felony, whether the principal felon shall or shall not have been previously convicted, or shall or shall not be amenable to justice, and may be punished in the same manner as an accessory before the fact to the same felony, if convicted as an accessory, may be punished; and the offence of the person so counselling, procuring, or commanding, howsoever indicted, may be inquired of, tried, determined, and punished by any court which shall have jurisdiction to try the principal felon, in the same manner as if such offence had been committed at the same place as the principal felony."

Such were the words of this Act "for improving the administration of justice in Ireland." But the law did not stop even here. There was a subsequent Act, of which the terms were, if possible, stronger, for they constituted any person a felon who contributed in any way to the commission of felony—the 10th Geo. IV. c. 34, entitled "An Act to consolidate and amend the Statutes in Ireland relating to Offences against the Person." In the 9th Clause it was enacted—

"And be it enacted, That every person who shall solicit, encourage, persuade, or endeavour

to persuade, or who shall propose to any person to murder any other person, shall be guilty of felony, and being convicted thereof, shall suffer death as a felon."

It could not be useless to bring these Acts before the public, because it had been said they did not apply to Ireland. He begged to say, they specially applied to Ireland; and he would take upon himself to add, that they would be enforced in Ireland, as enforced they could be. The Lord Lieutenant of Ireland had felt it to be his duty to wait for information of the nature to which the noble Lord (Lord Farnham) had alluded, but it was only with a determination to enforce the penalties of the law if conviction of the crime were secured. So much with regard to the question relative to the conduct of the Irish Government and its intentions. The noble Lord had followed up his questions on this subject by inquiring whether more powers were intended to be proposed than appeared to be contained in the Bill now under the consideration of the other House. He (the Marquess of Lansdowne), was not at that moment prepared to say that any further powers were proposed to be asked for by Her Majesty's Government. But he might most distinctly repeat, that from the moment it should appear that the milder powers which Her Majesty's Government asked for were ineffectual for the purpose, they would lose no time in asking for more effectual measures. They wished to show a disposition in the first instance to confine themselves to what appeared to be the mildest force which the occasion called for. More than this he would not say at present; but when the Bill came up from the other House, and its provisions were discussed, their peculiar adaptation to the nature of the exigency, which unfortunately was great in those parts to which the Bill referred, would be seen. He hoped, that under it no such spirit would arise in other portions of Ireland as had been alluded to by the noble Lord. The noble Lord, however, might rely upon this assurance, that every quarter would be subject to the most vigilant observation. No circumstances, even in the remotest corners, indicating such a disposition as that described by the noble Lord, would escape the attention of Her Majesty's Government. He could not conclude without expressing the deep pleasure with which he had heard the noble Lord accompany the statement which a sense of duty had compelled him to make with regard to certain members in holy orders of the Roman Catholic Church in Ireland, by a distinct acknowledgment of the good conduct and eminent services of many of the clergy of that Church. He (the Marquess of Lansdowne) would add his testimony to that of the noble Lord, so far as he had occaston to observe, to the general good feeling of the Roman Catholic clergy of Ireland in a time of long suffering and great endurance. That their duty had in many instances been most nobly, disinterestedly, and piously performed, he could not have the slightest doubt. It was, indeed, to the performance of that sacred duty that we were indebted for the resignation with which the most appalling of all human calamities had been borne by the suffering population in many parts of the country. If their Lordships were compelled, as compelled they were, to visit with the severest animadversion the misconduct of certain individuals belonging to that body, it was only the more necessary to recognise, with the readiness and gratitude they deserved, the zealous and untiring exertions made by so many in the people's greatest affliction and distress.

The EARL of MALMESBURY was sure the country would appreciate the manner in which this grave question had been brought before their Lordships; but there would also be deep regret that the noble Marquess (the Marquess of Lansdowne), on the part of the Government, should have held out so little hope of bringing to condign punishment the reverend persons who had used the langage imputed to them. He hoped the Government would reconsider the subject, and see if it were not possible to encourage the people of Ireland, who were now in terror of the hands of assassins, to give evidence which would lead to the conviction of those who murdered and incited to murder. There must have been hundreds in the chapel in which Major Mahon was denounced from the altar; and he would not believe that the whole number rejoiced in the threats held out from thence against the life of the unfortunate gentleman. He could not but believe that if properly encouraged there were many there who would willingly assist the hands of the law. He regretted that the measure now before Parliament was not stronger; and he should not himself have hesitated to have trusted very large powers to the discretion of the Lord Lieutenant. The noble Marquess, however, said if that measure failed, the Government would ask for increased powers;

the noble Marquess, however, knew well that he might have asked from the British Parliament for all the necessary powers at once; and he knew further that no one would for a single moment have objected to grant them, except a small and factious opposition. He implored Her Majesty's Government to consider that a failure of the present measure involved a repetition of the murders which in was intended to repress.

LORD STANLEY said, he thought the question was one of such great importance, and that they were so deeply indebted to his noble Friend for having brought it distinctly under the consideration of their Lordships, that he hoped their Lordships would excuse him for offering one or two observations on the statement of his noble Friend, and on the answer given to it by the noble Marquess opposite, He felt bound to say, that though there were portions of the statement of the noble Marquess satisfactory, as indicating on the part of Her Majesty's Government and of his noble Friend the Lord Lieutenant of Ireland, a determination, so far as they could, to grapple with the great evil which had been so plainly and so forcibly brought before their Lordships by his noble Friend, yet he regretted to perceive the indistinctness and the indefinite character of the answer which the noble Marquess thought proper to give to the questions that had been put to him. They were plain, definite questions. They brought before the House in the clearest and strongest manner, and yet in a shape not stronger than the circumstances required, cases in which either from the platforms of public meetings, or in a still more solemn manner from the altar, denunciations against particular persons had been held forth. God forbid that he should seek to inculpate any great portion of the Roman Catholic clergy in the charge of having uttered these denunciations! But it was alleged that indirect incentives to murder were made, which incentives had been in some cases followed by immediate execution. Under these circumstances, he did not think it was too much for his noble Friend to ask the noble Marquess, as he understood him to have done, whether the statements which he had read to their Lordships had been communicated to the Government of Ireland—if made, whether they had been submitted by the Irish Government to the law officers of the Crown—whether, in the opinion of the law officers of the Crown, the law was at present strong enough to punish the parties so offending; and if it were not, whether it was the intention of Her Majesty's Government to seek for an amendment of the law. He should say that, though no very lengthened notice of the intention to ask these questions apeared to have been given, still he felt surprised that the noble Marquess should, even at twenty-four hours' notice to the Government, have been unable to give an answer to them. [Marquess of LANSDOWNE: Hear, hear!] He might have misunderstood the noble Marquess; but he certainly thought the noble Marquess appeared to have no doubt but that these cases had occurred, and that he was satisfied they would receive the most careful consideration from the legal gentlemen connected with the Government. But surely that was not an answer to the question of his noble Friend. The question was, had those facts been laid before the law officers of the Crown in Ireland, and whether they were of opinion that the law as it now stood would be sufficient to reach them? As he understood the noble Marquess, he was unable to answer that question without further communication with the noble Chief Governor of Ireland. He did not think that he misunderstood the nature of the noble Marquess's answer; but he hoped that if that answer were as he described it, his noble Friend would not be satisfied to allow the case to rest where it was, but that in the course of another week he would take care to renew his questions distinctly with reference to this particular case. Was it or was it not true, that in the year 1846, and subsequently, a priest wrote to a landed proprietor in the most laudatory terms as to the charitable nature of his exertions, and of his labours of love for the population around him? Was it or was it not true, that in the month of August, 1847, that same priest, from the altar of God, denounced that same landlord as an absentee, a tyrant, and an an oppressor? Was it or was it not true, that on a subsequent day that same priest denounced that same landlord as worse than Cromwell, and asked whether that man yet lived? Was it or was it not true, that on coming out of the chapel, after that denunciation, a respectable man made the remark, "That man must be immortal if he survives that denunciation." Was it or was it not true, that in eight and forty hours afterwards that landlord—an amiable, humane, and praiseworthy man in all

the relations of life, and beloved by all his neighbours—was cut off by the hand of the assassin? If these things were true, he had a right to ask whether they had been reported to the Government; whether, in the opinion of the law advisers of the Government, the priest who had so conducted himself was legally, as well as he was—he (Lord Stanley) had no hesitation in saying, if the facts were so—morally in the sight of God and man, guilty of the blood of the murdered Major Mahon? They had a right to ask whether a prosecution would take place, or whether the law was unable to reach such a case? They had a right to know what the opinion of the law officers of the Crown was on this matter, and whether the Government had prosecuted, or intended to prosecute, the priest who had degraded his sacred office by making the altar of God an incentive to murder; or whether, if the law were unable to reach him, it was the intention of Her Majesty's Government to propose an alteration of the law in this respect? The noble Marquess had read extracts from the Statutes; and it was no doubt very desirable that it should be known, both here and in Ireland, that such laws were in existence; but the question was not, were these laws in the Statute-book, but was it the intention of Her Majesty's Government to enforce the law? The question was, whether, in the opinion of the law officers of the Crown, the case of this priest was within the terms of the Act, and whether it was intended to proceed against him? He thought they ought likewise to know whether the priest being within the letter of the law, it was the intention of the Government to proceed with promptitude against him? The noble Marquess would perhaps tell him that the law reached the case, but that it was a question of discretion on the part of the Government whether they should enter into the prosecution or not. He knew the difficulty in which the Government were placed. He had had the honour—perhaps he should have said the misfortune—of acting for some time as Chief Secretary for Ireland, and he knew the difficulty of procuring evidence for the purposes of prosecutions. He knew the slight hope of success which the Government must entertain in sending a Roman Catholic priest for trial before a jury, the majority consisting in many cases, perhaps, of the lower class of Roman Catholics, whose prejudices would be strongly in favour of a priest of their own religion. Still he thought their Lordships had a right to know whether it was the intention of Her Majesty's Government to attempt to obtain that conviction; because, however lamentable the result would be of the failure of a prosecution of this description, yet if the case were clear, and the evidence undoubted, and the jury should appear to have failed in their duty, then, he would say, that very failure would go far to enlighten the people and the Parliament of this country as to the real nature of the difficulties of the Irish Government, and the nature of the remedy to be applied. He would say, that if the facts of the case were as had been reported, and that there was a difficulty as to the probability of obtaining a verdict, he would rather proceed with the prosecution, and run the risk of an unjust acquittal, than have it supposed that in that—and, of course, in all similer cases—the Government were powerless, and the provisions in the Statute-book a dead letter, and that there was a practical impunity for offences of that description. He hoped, therefore, that his noble Friend would repeat his question to the Government, after they should have had time to communicate with the Lord Lieutenant. He hoped his nocle Friend would put his question distinctly with reference to this case of the priest who was said to have denounced Major Mahon eight-and-forty hours before his assassination; and he hoped the noble Marquess would then be prepared to state whether any and what steps had been taken in the matter; and also whether, in case of the repetition of these offences, the Government were prepared to adopt steps for the purpose of obtaining information on which they could rely, and from characters who were not likely to be tampered with. He thought some good was likely to result from the explanation given by the noble Marquess as to such an Act as that which he had read being on the Statute-book; but he was of opinion, that it would have been much better, and more desirable for the state of Ireland, if the noble Marquess had been enabled to say, that this case had been represented to the Government; that the priest would be proceeded against without delay; and that, if repeated prosecutions were followed by repeated failures, the Government would not hesitate to take such steps, at whatever sacrifice of constitutional principles, as would maintain that which was above all constitutional principles — the security of the lives of the Queen's subjects.

Lord CAMPBELL said, he had hoped that the answer of his noble Friend the President of the Council would have been considered satisfactory by their Lordships. He had himself had the honour of being first law adviser to the Crown in this country for a considerable period, and from his experience in that capacity he felt that it would be highly inexpedient and indiscreet if questions were to be put in that House as to what cases were to be laid before the law officers of the Crown, and what course was to be taken by the Government if the evidence was not found to be sufficient to secure a conviction. He thought the experience of the noble Lord opposite (Lord Stanley) should have pointed out to him the inconveniences which were likely to result from such a course. He had himself commenced his career under the noble Lord, and he had assisted him in the passing of the Coercion Bill of 1833, as first law adviser to the Crown. He would say, if their Lordships thought the law officers of the Crown knew their duty, that they ought at least to give them fair time to do their duty, and not apparently to suspect that they were remiss with respect to those cases that had been mentioned, much less that they were conniving at them. Might it not be that the evidence in the case had not yet been sufficiently matured, though at the same time the prosecution was by no means to be abandoned? He thought, therefore, that the answer of his noble Friend was perfectly satisfactory. As to the state of the law, he thought that the existing law was abundantly sufficient to reach such cases. He did not wish to allude to the particular case dwelt upon by the noble Lord, because it might come before a jury, and he hoped it would come before one; but he would say generally, that any incitement to commit a felony made the party who committed that incitement an accessory before the fact, and as such that he was liable by the law of England and Ireland to be punished as the principal was punished. An incitement to commit a murder would clearly render the accessory before the fact by whom that incitement was given, liable to expiate his offence by his life. Formerly it was necessary to proceed in the first instance against the principal; but that difficulty was removed by the Act of the 9th Geo. IV., which Act was extended to Ireland by the 10th Geo. IV. Under the law as it now stood all doubt was removed from the subject, and they were enabled to proceed against an accomplice as an accessory before the fact as a substantive proceeding. Now, he should say that this denunciation from the altar formed no exemption from the criminality of the proceeding. It had been determined over and over again that a minister of the Established Church of England, or a minister of the Established Church of Scotland, was, if he said anything from the pulpit detrimental to the character of an individual, or anything that led to a breach of the public peace, civilly and criminally liable for what he said, just as much as if he spoke it from the market cross, or from a public platform. Under these circumstances he considered the existing law to be abundantly sufficient to meet such cases; and he had no doubt but that it would be energetically administered by his noble Friend at the head of the Government in that kingdom, whose conduct had been so warmly approved of by all parties.

The Earl of HARDWICKE read an extract from a petition that had been presented to their Lordships' House on the subject of the circulation in Ireland of the Papal bull, "*In Cœnâ Domini*," in which the Sovereign of this country and her Protestant subjects were denounced, and made some remarks in reference to it which were inaudible.

Lord BEAUMONT said, he did not know that that bull had ever been read in Ireland.

Lord BROUGHAM said, he had heard with great satisfaction the admirable manner in which his noble Friend had brought the subject before the House; and in answer to the question as to the sufficiency of the existing law, he would say, how could they refuse to consider the law as sufficient when his noble Friend the Lord Lieutenant of Ireland stated, as appeared from what had fallen from the noble Marquess, that he was perfectly satisfied with the measures to be left at his disposal, and that he did not seek for more powers? Again, he was told by his noble and learned Friend who spoke last that the law was perfectly sufficient to meet the exigencies of the case. If the law were sufficient, then God forbid that any whisper should be heard from him to increase its rigour! He thought that the course taken by the Lord Lieutenant in not seeking for fresh powers, proved not merely that the law was sufficient to grapple with these crimes by punishing them, but also, that the law as it now stood could be enforced, and that he could safely

prosecute, and get witnesses and juries to convict. He would say, however, that they would not be in the same situation as before if they once made an attempt to prosecute and failed; and he perfectly agreed with his noble Friend, that a failure of a prosecution would be the best foundation for calling for a law to enable them to meet the exigencies of the case. A priest denouncing a person from the altar, who is afterwards murdered, is undoubtedly an accessory before the fact to the murder, and becomes guilty of a capital felony. The question to be considered was, whether the Government should try to carry out the law as it now stood, or come to Parliament for new powers. Some of his noble Friends appeared to think the former course the better one to try in the first instance, and to that view he had no objection to offer.

Earl GREY said, wherever evidence could be obtained, he believed there was no instance of juries shrinking from doing their duty properly. The law officers of the Crown in Ireland stated that there was undoubtedly great difficulty in apprehending offenders and collecting sufficient evidence against them; but wherever a sufficient case was established to come before a jury, it could surely not be said that juries had shown themselves reluctant to do their duty. Under these circumstances he thought Her Majesty's Government would be indefensible in asking for further powers to supersede the ordinary tribunals. In answer to what had been said by the noble Earl at the end of the bench (the Earl of Hardwicke), that the Government had shrunk from the responsibility of asking for greater powers, he (Earl Grey) denied that they had shrunk from any such responsibility; they asked for such powers as they deemed sufficient for the exigencies of the case. If, indeed, they were to say that the powers which they sought for would succeed, they would be presumptuous. But they believed the course they proposed was that which, upon the whole, was the most likely to obtain all the important objects of preventing and putting a stop to the crimes that prevailed in the parts of the country alluded to. He, for his own part, was convinced that no course would be more likely to be successful, than the one they had adopted. He would only further observe, that he thought they were indebted to the noble Lord who had originated that discussion, for the tone and manner in which he had brought the subject forward; and he regretted that the two noble Lords who had followed him had not also followed him in the same tone he had adopted. He regretted, also, that the noble Lord opposite, who had had so much experience in matters of Executive Government should have attempted to press Her Majesty's Government in such a manner to state what their intentions were with regard to the administration of criminal justice in Ireland. He thought it would be most injudicious to make such a statement, or to deliver opinions upon cases incidentally mentioned in debate. He could conceive nothing more rash than to give an opinion in that House, whether certain particular words quoted in the course of a debate did or did not justify criminal proceedings. It frequently happened that some persons alleged that those speeches delivered at public political meetings were intended to incite the hearers to crime, whilst others asserted the direct contrary. And even when there was no moral doubt as to what the intentions of the speakers were, how often had it happened that it was deemed inexpedient to enter upon proceedings, or attempt legally to prove the offence?

Lord BROUGHAM and Lord CAMPBELL said a few words in explanation.

Subject at an end.

House adjourned.

HOUSE OF COMMONS,

Monday, December 6, 1847.

Minutes.] Petitions Presented. By several Hon. Members, from various places, for and against the Removal of the Jewish Disabilities.—By Mr. Fagan, from Cork, for the Abolition of Ministers' Money (Ireland).—By Mr. Newdegate, from Warwick, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Hume, from Newington, Southwark, Finsbury, and Lambeth, for Inquiry into the Case of the Rajah of Sattara.—By Mr. F. O'Connor, from several places, against the Crime and Outrage (Ireland) Bill, and for Measures of Amelioration.

BRITISH AND FOREIGN SPIRITS.

Mr. MOFFATT wished to put a question to the Chancellor of the Exchequer, of which he had given notice, and which was of importance to the manufacturers of spirits in Scotland and Ireland. It was a subject on which much anxiety prevailed in both countries. The object was to obtain the same privileges for our manufacturers that were conceded to the French. He therefore asked whether it was the intention of the Chancellor of the Exchequer, in the proposed new Excise Bill, to extend the bonding privileges to British spirits for

home consumption that are at present conceded to foreign and colonial spirits?

The CHANCELLOR OF THE EXCHEQUER said, that the hon. Gentleman was aware that in Scotland and Ireland distillers had the privilege of warehousing. This was a question to which he had directed the attention of the Excise Board; but his hon. Friend must see that it would be far more convenient to all parties, when Government introduced a measure, to make a statement on the whole subject. He might at this time answer the question; but he thought it far better that he should take the subject together, and he was not justified in stating what Government intended to do to any part of the measure.

MR. HUME: Will the right hon. Gentleman tell us when he will make that statement?

The CHANCELLOR OF THE EXCHEQUER: I propose to introduce a Bill on the subject, as I have already announced, after Christmas. When I do so I will state the whole course which is intended to be pursued by Government.

MR. GOULBURN asked if the measure would also apply to colonial spirits?

The CHANCELLOR OF THE EXCHEQUER said, that what he had stated at an early period of the Session was, that he had directed the attention of the Excise to the various restrictions which were supposed to be unnecessary for the protection of the revenue, and which unduly pressed on industry, and he was in hopes of some remedy, but in no case was the revenue to be affected.

BATTERSEA PARK.

SIR ROBERT INGLIS wished to ask a question of his noble Friend the First Commissioner of Woods and Forests. He had been one of the Commissioners, and took considerable interest in the prosecution of the improvements for making Battersea Park, and the embankment of the river at Chelsea. The Commissioners made a report in July, 1845, the consent of the Government was granted to this measure, the necessary notices were given, and the Bill was brought in and received the Royal Assent on the 3rd August, 1846. Knowing that the longer delay, the greater would be the cost of making these improvements, demands being made to a most enormous extent, he wished to know from his noble Friend whether he was prepared to state to the House that any measure would be brought forward by Government to hasten the progress of the works to which their assent had previously been given?

VISCOUNT MORPETH said, that subsequent to the passing of the Battersea Bill, several claims had been sent in of so exorbitant a character that it was necessary to bring them before a jury, and some time was necessarily expended in collecting evidence and ascertaining the rights of parties. The first of these cases had been brought before a jury on Friday last; and he was happy to say, that so far the result had not been discouraging to his department, or to the hon. gentleman who acted as surveyor; for inasmuch as the claim put forward was 10,212*l.*, the verdict of the jury was for 750*l.* After this result he had only to state his hope and expectation that the rest of the claims would be disposed of at a greatly accelerated pace.

FOREIGN TARIFFS.

MR. NEWDEGATE wished to put a question to the noble Lord, as to the returns which he had moved for on the 24th February last. They were returns relating to the change of the tariffs of foreign countries, and also including any changes affecting our customs. Eight months had now elapsed since the address for granting these returns had been agreed to. Some confusion seemed to have arisen as to the department which ought to furnish the information to the House, and he wished to ask the noble Lord whether he could afford the House any information relative to the present state of these returns, or to give any prospect of the information being afforded?

VISCOUNT PALMERSTON said, that a portion of these returns had been presented towards the close of last Session, and he knew that the other portion had been received, from time to time, at the Foreign Office. He rather thought that the question which the hon. Gentleman put, had reference more peculiarly to the question how and by whom such portion of these tariffs as were in foreign languages were to be translated? He believed that was the point. Upon that he had to state that of course it was the duty of the Foreign Office, when papers connected with the transactions of Government were laid before Parliament, to lay them before Parliament by translations, whether they were so laid by an address from the House or by command of the Crown; and there were officers quite competent to do the work properly; but this was a case quite out of

the usual course. The House of Commons very properly availed itself of the facilities which the Foreign Department had, by means of consuls abroad, to obtain information connected with the detailed administration of other countries. That was obtained frequently in printed books and voluminous papers. The tariffs of other countries, as they had been obtained, had been laid or would be laid upon the table. The office was limited in the extent of its establishment, and was really not capable, without materially interfering with the foreign business of the country, of providing the means for effecting these translations; and it must therefore rest with the House, he apprehended, to determine in what way these documents were to be rendered as useful as they ought to be for the purpose in view. It seemed to him quite clear that some person must be employed and especially paid for the duty of translating them; and whether the hon. Gentleman could, according to the practice of the House, move any resolution by which the House would of its own authority authorise the translation, or whether the Crown should be desired to employ persons especially for the purpose, was under the Speaker's direction.

MR. NEWDEGATE said, that the information obtained in those papers was very important. It had been granted by the Crown, and as eight months had now elapsed he thought it right to ask what prospect there was of obtaining this information, and whether the Speaker could suggest any course by which he could bring the subject more properly under the attention of Parliament?

MR. SPEAKER said, that it was very difficult for him to answer the question. It was quite clear that the House could not authorise a translation of the tariffs. The custom had been, when returns were presented by the Foreign Office, if the parties in the office would not undertake the translation of the returns, to move an address that the returns should be laid on the table, accompanied by a translation forthwith.

THE RAJAH OF SATTARA.

MR. G. THOMPSON inquired whether there had been received at the Board of Control any official account of the death of his Highness the ex-Rajah of Sattara? If any such information had been received, whether it was the intention of Her Majesty's Commissioners for the Affairs of India, in conjunction with the Court of Directors, to send by the present mail any order or instructions to the Government or Governments of India, having reference to a provision for the members of the family of the ex-Rajah, now deceased, and those numerous dependants, amounting, he believed, to 700, who had hitherto been entirely dependent for their subsistence upon the allowance made to the now deceased Rajah? This was a most important question, and he was moved to put it in consequence of having received a most urgent letter from the members of the family, stating that they were now in circumstances of extreme destitution, not having had, without borrowing, the means of defraying the funeral expenses of the deceased person. He was anxious to know whether it were the intention of Her Majesty's Ministers to take any immediate steps for securing to them, he would not say the means of upholding their dignities, but the means of existence?

MR. C. LEWIS, in answer to the question, begged to state that official intelligence had been received on Saturday last from the Bombay Government of the death of the ex-Rajah of Sattara. He had not himself seen the despatch; it was forwarded to the President, Sir John Hobhouse. He believed the despatch was confined simply to a statement of the death of the ex-Rajah, and contained no information as to the state of his family, or as to any measures having been taken for the continuance of the pension to the members of his family. He would, however, make inquiry into the subject. The hon. Gentleman had given no notice of putting the question, and therefore he was not prepared to answer it.

DENUNCIATIONS FROM THE ALTAR (IRELAND).

CAPTAIN HARRIS asked whether the law, as it now stood, would enable Her Majesty's Government to bring to trial those priests whose denunciations from the altar had been immediately followed by the death of the victims? In case of the answer being in the negative, he wished to know whether Her Majesty's Government would ask for measures—

MR. JOHN O'CONNELL rose to order. He wished to know whether it were competent for an hon. Member to ask a question which inferred a calumny, and was based upon an unproved charge.

Mr. SPEAKER: The question is a perfectly regular one.

Captain HARRIS resumed. In the case of the first question being answered in the negative, he wished to ask, whether the Ministry intended to strengthen the law in that respect, so as to enable them to deal with those who, by moral influence over their congregations, had incited and encouraged crime.

The ATTORNEY GENERAL was obliged to the hon. Member for the notice of his questions which he had given. He was not able to answer, with respect to any particular case which might have been set forth by the newspapers; but, so far as the general question went, he could very safely say, that if any person was proved guilty of inciting and abetting murder, that he might be tried for the offence, and on proper evidence convicted.

MEDIATION IN SWITZERLAND.

Mr. OSBORNE inquired whether Government had received information which would prevent, or render unnecessary, any mediation, on the part of this country, between the contending parties in Switzerland?

Viscount PALMERSTON replied, that information had been received which showed that the civil war in Switzerland was in point of fact at an end. Now, as mediation meant an interposition between two contending parties, it was evident that when there was an end of contention, there must also be an end of mediation.

CRIME AND OUTRAGE (IRELAND).

Sir G. GREY moved the Order of the Day for the Second Reading of this Bill.

Mr. JOHN O'CONNELL rose to move the Amendment which the hon. Member for Limerick had given notice of, and which that hon. Member, had he been present, would have moved. He felt it to be his duty to oppose the present Bill at this and every other stage of its progress. So far as sending an increased police force to certain districts went, he had no objections to the Bill; but he could support no other part of it. Even, however, if he had no other reason for opposing the second reading, he should have found one in the fact of Government attempting to press it on without bringing forward remedial measures *pari passu*. He asked Her Majesty's Government how they had entitled themselves to come down to the House, and ask it to sanction a measure like the present? Why had they opposed the Coercion Bill of the last Ministry if they now brought forward a measure of a similar nature without in the meantime having remedied one wrong, or conferred one substantial benefit upon the suffering people of Ireland? Surely coercion might have been postponed until relief had been attempted. The noble Lord at the head of the Government stated the other night that the financial condition of the country had been the occasion of Parliament having been called together. Now, in saying so, the noble Lord was depriving himself of all excuse for pressing forward this Bill during the present short and hurried Session. The ordinary law had not yet been stretched to its full extent. Why, then, was it wished to have recourse to extraordinary powers and extraordinary laws? The right hon. Gentleman the Home Secretary had said that he anticipated a new era for Ireland; but what had been done by Government in Parliament to ensure that end? The right hon. Gentleman had gone on to say, that it was the duty of a wise Government to look to the causes of crime, but that at times like the present they were obliged to attend to the most urgent symptoms of the disease. How was it, however, that they allowed the whole of last Session to pass unheeded by without doing anything for the permanent amelioration of the country? How was it that Government disregarded the great causes which led to the disturbances they were now trying to put down by the strong hand? What had Parliament done? Nothing permanent. They had merely granted most inadequate relief during a time of famine. The House had heard of a special commission. The right hon. Baronet stated that it was not yet the intention of the Irish Government to send forth a special commission. And why? Because there were so few cases to be tried; yet on account of these same few cases, they were now asked to sanction a Coercion Bill, and to infringe upon the ordinary limits of constitutional law. He believed that matters in Ireland were getting better. Three cases of agrarian outrage, about which they had heard a great deal last week, had turned out to be mere groundless rumours. The fact was, that Ministers had listened to bad advice. They had acted upon the opinions of bodies of magistrates, who were often actuated by feelings of hostility towards the people among whom they re-

sided. They had acted upon the advice of such men as Mr. Carden, who had recommended that in the proclaimed districts the people should be deprived of arms, and that heavy fines should be imposed upon the localities in which the perpetrators of murders were not convicted. Here was a pretty specimen of a Tipperary magistrate. Why, what did his advice amount to, but to giving a district a direct pecuniary interest in the conviction of any persons charged with murder, although they might be perfectly innocent. Another bad adviser of the Government was the right hon. Baronet the Member for Tamworth. The right hon. Baronet, by his own statement, however, inculpated himself. He said that he had brought forward such a measure as the present in 1814! Whose fault was it, then, that crime had so long been rife in Ireland, but that of those who had for so long governed it? He hoped that the Government would not take the right hon. Baronet's advice, and re-establish the accursed spy system in Ireland—a system which had been the cause of so much misery. He trusted Ministers would have a care for their reputation. Let them beware of taking the insidious advice of the right hon. Baronet the Member for Tamworth. But they heard of remedial measures. Now, what were these? They had been told of the Grand Jury Bill. No doubt it was one much wanted; but after all it was merely a Bill for the regulation of existing establishments, not a Bill which could go to the foundation of any of the great social evils of the country. A more radical and searching measure was wanted at such a time as the present. The same thing might be said of the Sale of Encumbered Estates Bill. But that measure had not yet been even introduced. It might not be introduced, and if it were, it was more than probable that a considerable time would elapse before it came into practical operation in Ireland. He did not think that the House was aware of the great distress which existed in Ireland. He would not trespass upon their kind indulgence as he had done upon the first night of the Session; but he could not forbear reading some additional reports from the south and west of Ireland, which served still further to show the lamentable state of the country:—

"In the parish of Killeran, the Rev. William M'Laughlin, P.P., with a population of 2,188, the deaths from fever and famine have been ninety, those utterly destitute now are 772, those likely to be so immediately are 1,070. The condition of the people in this parish is much worse than it was last year. They have no clothes, no pigs, no small stock of any description, even their manure heap is gone. In the parish of Killarmine, Rev. T. Glynn, P.P., with a population of 2,648, the deaths from fever and famine have been 100, those utterly destitute now are 2,000; as to the condition of the parish the same remarks applicable to the last are equally so to it. In the parish of Moylough, Rev. William Feeny, catholic curate, with a population of 2,800, the deaths from fever and famine have been 200; not six families besides the gentry have food, and the state of the parish is as the preceding. In the parish of Kilmolara, the Rev. Charles Waldron, P.P., with a population of 3,400, the deaths from fever and famine have been 523; those utterly destitute now are 1,000, those likely to be so immediately all, with the exception of four or five families, and the state of their farms and crops is similar to the preceding. In the parish of Kilcommon and Ribein, the Very Rev. James M'Hale, P.P., with a population of 8,553, the deaths from fever and famine have been 1,447; those utterly destitute now are 3,184, those likely to be so immediately include almost all. In the parish of Kilmeen, the Rev. P. Lyons, P.P., with a population of 900, thirty-five have died of famine, 300 are now utterly destitute, and 300 are likely to be so immediately. In the parish of Cong, the Rev. M. Waldron, P.P., with a population of 4,200, 600 have died from fever or famine, and 350 are now utterly destitute. In the parish of Islanderry, Rev. R. Henry, P.P., with a population of 9,400, there have been 500 deaths from famine and fever, 2,000 are utterly destitute, and 4,500 are likely to be so immediately."

He would also take the liberty of reading an extract from a letter of the Right Rev. Dr. M'Hale to Lord J. Russell. The passage was as follows:—

"Protection for life and property is our prayer. A measure of protection that will embrace the lives and properties of all. Our sympathies are not confined to one class—they extend to every portion of society. If there is no other hope of relief for the starving people here but what can be supplied by the provisions of the poor-law, your Lordship may undoubtedly calculate on a repetition—nay, a speedy repetition—of all the horrors of the famine of last year. We implore then, we invoke in time protection, not only for the property, but for what is by far more valuable—the lives of all the people."

Now, what had the Government done to meet this distress, what measures had they adopted? They had heard that there had been a most unexpected collection of the poor-rate, and that it had surpassed anything which could have been hoped for. If the sum thus received was to be spent in the relief of the destitute, some good would certainly be done. But such would not be the case. Her Majesty's Government were well aware that the majority of those unions were heavily in debt, and that those debts would have to be discharged before the monies could be applied

to the relief of the distress, and therefore this boasted collection was not available to meet the just demands of the people. They had then nothing but the poor-law to meet an aggravated state of distress during the present year; and he very much feared that the winter of 1848 would bring with it renewed calamity. The measures of monetary relief, such, for instance, as those for lending money upon the reclamation of land and the construction of railways, involved the accumulation of debt more and more. These measures, although useful in themselves, had been rendered almost inoperative by the delay which was experienced in dealing them out. Parties had to wait a long time before they could get the money, although they made every exertion to obtain it by early and incessant application. But even taking these measures at the best, they only involved the principle of steeping the country more and more into debt—they were mere stop-gap measures, unworthy of the country and the Minister. A country already sinking under the weight of private debt, ought to have measures devised for its relief which would not increase the burden under which it suffered. He would like to know what element of regeneration was contained in the poor-law? He considered that it would be found to be nothing short of an agrarian division of property. He was entitled to argue against it. It was said, England owed her prosperity to her poor-law; but he said that she prospered in spite of her poor-law. The commercial interests of England had never been neglected—she had everything to encourage her—she had never been afflicted with the curse of absenteeism. She had the entire control of her own resources and her own affairs, and there was everywhere abundant evidence to account for the prosperity of England, in spite of her poor-law. This very poor-law which they boasted of, they had been tinkering at for three hundred years. Ten years ago it was near swamping them, and at the present moment it was again pressing painfully upon them. It was this law they now threw upon Ireland, a country where the majority were paupers, and they said, that as they had found three millions of paupers a dangerous burden, you (Ireland) may commence with three millions and a half. He would wish the House to show a sound sense of the responsibility which they had taken upon them, when they assumed the legislation for Ireland. The Act of Union was basely and recklessly carried, yet being *un fait accompli* they should make the best of it; and he wanted the House to make the best of it. He would ask the House to discharge the duties which they had taken upon them, and not to confide the distress of the country to the poor-law, and to a measure of coercion. He put this question to the House—how is it to be expected that Ireland can support her poor? In 1836 the Commissioners reported that three millions were destitute in that year, and that the capital of the country was not sufficient to support them. What was the case at the present moment? The capital of the country was greatly diminished, whilst pauperism had greatly increased, yet they called upon that diminished capital to support the four millions of paupers now in that country. It had been stated, that twelve millions was the loss of the working capital; but in this estimate the cows and pigs which helped to support the slender resources of the farmer, had not been taken into account. He believed that they could not estimate the deficiency of the working capital in Ireland under the sum of eighteen millions. His question was — how was that capital, which ten years ago was unable to support three millions of paupers—how was that capital, diminished, able to support four millions now? It could not do it, and the people would perish in trying the experiment. Let them not be trusting to such dangerous chances. If they had a reverence for human life, let them extend it to the people of Ireland. Give money. He asked for money. [*Loud laughter.*] He heard the laughter of hon. Gentlemen. But he could tell them that they ought to give money, and that it was their duty to do so. Charge the landlords of Ireland for the money if they liked; but at all events let them save the lives of the people. He did not expect to be met otherwite than with laughter, and he was bound to say that he never saw in that House one single real thought for the interest of Ireland. He begged to say, that he had before made that remark hastily and hotly, but now he repeated it deliberately and coolly. Whenever the interests of Ireland came into competition with those of England, they were invariably sacrificed. And if he did ask money, had he not a right to do so? In a few nights a Motion would come on, and he would then prove that they owed it. He had been taunted by the hon. Member for Marylebone (Sir B. Hall) for not bringing on that Motion sooner; but he had al-

ready proved that they owed much more than they had given them, and that they therefore ought in common justice to extend relief. If they owed them five hundred millions, yet they being the guardians of the country ought to come forward, especially when by their mislegislation, according to their own confession, they had brought them down to their present state of distress. It could not be pretended that money could not be had. Could it be said that this country which made such wonderful exertions during the war, found itself unable to advance three millions to the people of Ireland? In the year 1812 they paid seventy or eighty millions willingly and cheerfully to support a foreign war; yet they did not stop there—the next year they borrowed eighty millions more; and in 1814 they increased the debt by borrowing one hundred millions of money. If such a proposition could not be maintained, why not give them the money which he demanded? Did they believe the distress was not so great as it was represented? Why, there was not a Member in the House who would not testify that it was more than their officials had reported, and that the destruction of life would be greater than ever. In the name, then, of common humanity, let them save the lives of the hundreds of thousands who must perish unless they gave immediately and adequately. They were bound to extend a rate in aid for Ireland out of the imperial treasury, to which the Irish people contributed their share; they were bound to do this, unless they could show that the property in Ireland could save the people. Fever was rapidly spreading; and, in addition to this, the cholera, which was making such a rapid progress through Europe, would soon be a visitant; its ravages would be fearful among a population predisposed to infection, after two years of insufficient food and clothing. Upon this subject he could not do better than read a letter from Sir William Somerville to Mr. Parker. It was dated Dublin Castle, September 9, 1847, and was as follows:—

"Their Lordships will perceive that the Board of Health do not anticipate any diminution of fever, which is already in many places assuming a more malignant type, but that, on the contrary, they express their apprehensions that not only fever, but dysentery, scurvy, and other diseases will continue to prevail during the ensuing autumn and winter. Under these painful circumstances I have received his Excellency's instructions to call their Lordships' attention to the state of the law as regards fever relief now in operation in Ireland. In 1846 the Temporary Fever Act (9 Victoria, c. 6) passed, by which power was given to appoint medical officers for each union, and the boards of guardians might be required to provide medical relief, charging the expense upon the rates. The general want of funds, however, under which the unions laboured, rendered the Act nugatory; and in the present year the 10 Victoria, c. 22, was passed, which enabled the expenses of medical relief to be defrayed out of the funds placed at the disposal of the relief committees under 10 Victoria, c. 7, and required the relief committees so constituted to provide the necessary medical aid. By the last-named Act no grant or loan can be made by the Commissioners after the 1st of next October; and, consequently, there will be no means, as hitherto, of placing funds from that source at the disposal of these committees for meeting the medical relief. The 15th Section of 10th Victoria, c. 22, only enacts that after the 1st day of October, 1847, the expenses of carrying the provisions of that Act into execution shall be provided by the guardians, as under 9 Victoria, c. 6; but as the latter Act was found to be ineffectual for its object in 1846, owing to the want of funds under which the unions then laboured, its failure might be expected to be still more complete now, when the pressure upon the rates is much more under the provisions of the Poor Law Extension Act of last Session, and when fever has increased to the alarming extent stated in the accompanying return from the Board of Health. It will now, therefore, be for Her Majesty's Government to consider the best course with reference to this painful subject. . . . His Excellency has reason to believe the funds provided by Parliament will not be all expended, and suggests the expediency of applying a portion of the money thus saved."

The letter was most creditable to the writer, and nothing more than might have been expected from him. The statements made were not controverted. The Lords of the Treasury only declare that they have no funds, and that they had no power to make any grant or loan after the 1st of October. Was not this a course of conduct most lamentable? They had undoubted evidence of the poverty and destitution of the Irish, and all they were prepared to give them was a Coercion Bill. In order to show once more the inefficacy of the poor-law to give relief in the present emergency, he would show what was the state of the farmers in the west of Ireland:—

"The *Dublin Gazette* of Tuesday evening contains a list of no less than seventy-three insolvents, whose cases are to be disposed of at the court-house of Nenagh, county Tipperary, on the 7th of December next. Of this number forty-one are set down as 'farmers;' and, as a no less significant sign of the times, there are two 'drivers' in the list. The same *Gazette* gives the names of thirty-one insolvents who are to be brought before the court-house of Limerick on the 9th of December: of this list ten are 'farmers.' Friday's *Gazette* contains the names of forty-eight insolvents who are to appear at the court-house of Ennis, county of Clare, on the 4th of December; thirty of this number are 'farmers.'"

The operation of the poor-law was not only inefficient, but unjust, and bore most heavily on the tenant, while it permitted the landlord to escape with comparatively light taxation. As to an income-tax, he was altogether opposed to it, but thought some scheme should be devised for carrying out the levying of poor-rates more effectually and equitably. Much stress had been laid on various returns presented to the House by sub-officials; but he did not place so much value on them, as it was natural to suppose that these gentlemen, in drawing up those returns, would be influenced by a desire to consult what they imagined to be the wishes of the Ministry. Instead of relying on such evidence, he would rather turn to a document which they might not treat with much respect, as the composition of men to whom he, however, as well as the people of Ireland, looked up with the deepest reverence — he meant the Catholic hierarchy of Ireland. The representations it contained deserved the greatest attention from Government, and should impel them at once to adopt measures of relief. Their lordships said—

"If the labourer is worthy of his hire — an axiom of natural as well as of revealed religion— and if doing to others as we should be done by be the golden standard of Christian morality, it would be a violation of those sacred maxims to appropriate the entire crop of the husbandman without compensating him for the seed or the labour expended on the cultivation of the soil. Yet laws sanctioning such unnatural injustice, and, therefore, injurious to society, not only exist, but are extensively enforced, with reckless and unrelenting rigour, whilst the sacred and indefeasible rights of life are forgotten amidst the incessant reclamations of the subordinate rights of property. The legitimate rights of property, so necessary for the maintenance of society, we ever felt it our duty to recognise and inculcate. The guilty outbreaks of violence and revenge which sometimes unfortunately disgrace the country, we deplore and reprobate; but, in justice to their general character and habits, we feel it our duty to declare our conviction that there is not on earth a people who exhibit more respect for law and order under such unheard-of privations than the people of Ireland. Hallowed as are the rights of property, those of life are still more sacred, and rank as such in every well-regulated scale that adjusts the relative possessions of man; and if this scale had not been frequently reversed, we should not have so often witnessed in these heart-rending scenes of the evictions of tenantry, 'the operations that are done under the sun, the tears of the innocent have no comforter, and unable to resist violence, being destitute of help from any,' which made the Wise Man 'praise the dead rather than the living.' The only available resource now relied on for the relief of such wide-spread misery, is the legal enactment for the relief of the destitute—a source totally inadequate to the magnitude of the evil. In some of the suffering districts, no out-door relief is allowed to the poor, unless the workhouses are filled with inmates beyond the number they were destined to contain, thus exposing them to the danger of falling victims to contagion, from the overcrowded state of those establishments should they enter, or to death from starvation should they stay abroad; and in other districts, from the reluctance of the guardians to impose rates, as well as from the reluctance and inability of the ratepayers to meet those heavy and successive imposts, the houses are left unfilled, and the poor abandoned to starve. A provision thus left to the capricious discretion of those who administer it, without any compulsory enactment in the case of their neglecting such duty, would not, memorialists submit, be a sufficient remedy even in ordinary times, much less when the destitution is so awful as to be far beyond the reach of the local resources of those afflicted and hitherto populous districts. In offering these remarks on the insufficiency of the poor-law for the magnitude of the destitution that now prevails, memorialists wish it to be understood that they are not made from any conviction that its further extent of stringency would be an adequate remedy for the wants of the people. They look on such a legal provision for the poor as quite inadequate; they discover in it evidence of the decay of the charitable spirit of former times, and of the grinding oppression of the poor that follows the destruction of those asylums in which were treasured, in trust for the indigent, the accumulations of piety, cheaply feeding the hungry, clothing the naked, educating the ignorant, and affording consolation under every infirmity that affects human nature. In such an awful crisis, which threatens such destruction of human life, memorialists, anxious to preserve the souls of their flocks from crime, and society from the danger of disorganisation, beg respectfully, by imploring your Excellency to use your influence with Her Majesty's Government, to procure measures of relief commensurate with the magnitude of the calamity. Far from looking for mere gratuitous relief from the Government for the numbers of able-bodied men who are without food, memorialists should prefer employment, particularly of a productive nature, conscious, from experience, that such gratuitous relief has a demoralising tendency, and may be perverted, as a large portion of the public charities has been perverted by many, into means of proselytism, thus abusing what was destined for saving the lives of the starving, into a most annoying and vexatious aggression on the faith as well as the morals of the poor —an abuse of charity which demands our strongest reprobation. The prospective measures calculated to check the recurrence of famine, and promote the prosperity of the country, memorialists beg to leave to the wisdom of Her Majesty's Government and the Legislature, remarking only, that an equitable arrangement of the relations between landlords and tenants, founded on commutative justice, appears to them so necessary, that without it they despair of seeing the poor sufficiently employed and protected, the land sufficiently cultivated, or the peace and prosperity of the country placed on a secure foundation. Large tracts of land capable of cultivation are now lying waste; the coasts abound in fish, which would give a large supply of food; encouragement to work those and other mines of wealth with which the country is teeming, would be well worthy the

solicitude of Her Majesty's Government. The poor are patient and long enduring, though suffering grievously; they are looking with hope and confidence to Her Majesty's Government for relief; and a prompt and humane attention to their wants will save the lives and secure the lasting gratitude of Her Majesty's most faithful people."

Such were the statements of those who possessed the confidence and cultivated the minds of the Irish people. In addition to them, there was the great majority of the Irish Members crying out to Government for assistance, and insisting on the necessity of instant relief. One and all, they pointed out to Government the insufficiency of the existing poor-law, and the pressing urgency of an arrangement of the landlord and tenant question. Why should there be any delay in adopting this course? There was a large quantity of capital locked up and concealed by the small landholders, as their only resource when driven out of their farms; and when they despaired of remaining in the country any longer, they used this money to enable them to emigrate, and thus inflicted a dead loss of so much money on the State. This destructive species of emigration would be at once prevented, if security were given to the people; and instead of going to America, they would remain at home and spend their capital on the soil. He did not call on the Government to parley with the murderer or the assassin; but he called on them to protect the honest and industrious, to do justice to the innocent, and to save those who were perishing from want, because the Government were neglectful of their interests. These people were treated with negligence because there was "a difficulty in the way" of doing them justice. Let the House look to the reports of its various Committees on the cause of Irish crime and distress, and they would find them uniformly stating that the insecurity of the tenure led to it all; the same evidence would be found in the digest of Lord Devon's Commission; and no one could doubt that it had been, and would be, the cause of those horrible murders. He had to complain that every little pamphlet or book, the tone of which was concurrent with English prejudice, was taken up and quoted by both sides of the House; but that those works, which laid open the real evil, were passed by in silence—the book, in particular written by an Englishman of the not very euphonious name of Wiggins, which contained the most appalling evidence as to the distress, destitution, and misery, caused by the unsettled state of the relations between landlord and tenant, was never heard of in the House. Chief Justice Pennefather had given similar testimony from the very bench, and declared that the tendency of legislation, from the time of the Union downwards, had been uniformly in favour of the landlords, and against the tenants of Ireland. In 1814 Sir Robert Peel also declared his opinion, that the evils of Ireland were greatly to be attributed to the unsatisfactory state of the law between landlords and tenants, and read a letter in corroboration of his views from a very influential and high authority. And now it was his duty to allude to the cases of the unhappy men who had been the victims of those horrible crimes. It had been sought to blacken the character of the peasantry, by representations that those gentlemen were the most benevolent, humane, and unoffending of men, and that there was not a shadow of any species of provocation to call for those murders. He was going to read documents to show the peasantry were not those gratuitous murderers which it was attempted to prove they were. He did not wish to say anything harsh of the gentlemen who had been the victims of those crimes; but he felt it his duty to lay these facts before the House. He reprobated and abhorred those murders. Had he not good reason—better than any other man in that House—for doing so? Had not he and the Irish Members, who endeavoured to obtain justice for the people, the conviction that these murders opposed all their efforts? Did he not know, as he stood there, that the hearts of Englishmen were more steeled against his demands on account of those horrible crimes? But if it were only for the sake of their innocent fellow-countrymen, he and his brother Members from Ireland were bound to do their duty, and while they felt horror and detestation for the crimes, to show that the statements that had been made as to the gratuitous nature of them were unfounded. He would refer first to the case of Mr. Roe, and in reference to it would read the following letter:—

"In the face of denial, I re-assert that the late Mr. Roe broke his word to John Lonergan, at Christmas last, not to disturb him until the following harvest. This I know in my capacity of assistant to his law adviser; and upon my mentioning the circumstance to Mr. George Roe, the agent, he admitted the fact, but added that they saw no prospect of Lonergan being able to pay in the harvest. I replied, that at all events Mr. Roe should fulfil his engagements; and I can now state that if he had done so, John Lonergan would have been enabled to redeem his farm. In

very truth, the heavy expenses, as mentioned in my first letter, were resorted to as a means to preclude him from the possibility of so doing. And even now, let the expenses be reduced to the sum usually incurred by eviction from the local courts, and the rent due of Lonergan will be immediately paid. The excuse assigned for levelling the house, in violation of the law, that is, the fear that the individual evicted should re-enter it, is futile in the extreme, as Mr. Roe knew perfectly well that any one acting such an illegal part was liable to be punished by the local magistrates. I also repeat, that John Lonergan never was for one moment on the public works ; and I, as overseer of those works, can vouch for the fact. The poor widow Halley had the choice of evils—either to give up possession and take 1*l.*, or to be forced out by the sheriff and get nothing. She preferred the first alternative, and left the domicile where she had resided in comfort for more than twenty years. And this is what Mr. Richard Roe calls consenting to give possession. Thomas Hackett then received her into his house, and kindly entertained her until he was obliged to turn her out. Whether dysentery or fever was the immediate cause of her death I know not ; but she declared her heart was broken by being forced to leave her house in Boytonrath. With regard to the soup-kitchen at Rockwell, it was commenced with 30*l.*, obtained through the influence of the Knockgraffan relief committee, and it was carried on by means of charities both public and private. Will it be credited, that with his own hands Mr. Roe pulled the furze off J. Horan's turf rick, and had them carried away, because Horan had sheltered Daniel Ahern and his family, who were, a few days before, thrown houseless on the world by Mr. Roe? These things are scarcely credible, and yet they are facts known to the public in Boytonrath and its vicinity. I could likewise refer to the case of another tenant, who, on paying a sum of money to Mr. Roe, received assurances that no further demand should be made until harvest ; but in less than two months the stock was seized and taken to Cashel, where they were canted at the expiration of fourteen days. Mr. Roe then seized on the green crops, advertised the farm to be sold while the tenant was still in possession, and actually endeavoured to induce the sub-sheriff to dispossess the family, but was defeated at all points by Messrs Dwyer and Weldon, to the latter of whom I was then an assistant. In the year 1839, members of my family, Richard and Timothy Loughnane, of Boytonrath, recorded their votes at the hustings, contrary to the wishes of Mr. Roe, for Messrs. Sheil and Cave. Mr. Roe applied to the courts above, and marked a writ against their bodies, put this writ into the hand of the notorious Long Jim, who has been since transported for perjury. Long Jim alleged that he arrested the Loughnanes at the fair of Caher, though the men were not in Caher that fair day; and on this allegation Jim succeeded in getting a warrant of escape against them without the necessity of resorting to the usual preliminaries of a summons. This warrant was given to the police, a posse of whom came to Boytonrath at the dead hour of night, arrested the Loughnanes, and handcuffed them, as if they were common felons, and dragged them from the bosoms of their families to the town of Caher. To put an end to all matters of controversy, I challenge the opposite party to an investigation. Let them appoint two gentlemen, and I will appoint two more—let Cashel be made the seat of inquiry; and, if I don't substantiate facts cited by me by the most credible witnesses, I will expose myself to be liable to the greatest censure.—I remain, with very great respect, your friend and obliged humble servant, "WM. LOUGHNANE.

"Boytonrath Cottage, Nov. 17, 1847."

[An Hon. MEMBER: Is the brother of the gentleman who wrote that letter not now in gaol as an accomplice in the murder of Mr. Roe?] He was not aware of the fact. He had read the letter as he received it, and Mr. Loughnane challenged inquiry into the truth of his statements. He next begged to refer to the following particulars in detail connected with the dreadful murder of Mr. Hill and his bailiff:—

"Within less than two miles of this city (Limerick) is the house of a man named Quane, who for a series of years has held the dwelling, with a small lot of land attached, and has sustained an industrious—indeed, an irreproachable character. The land is part of the property of Mr. Friend, a native of Limerick. Mr. Friend is, and has been for some years, an absentee, and the management of his property rather recently devolved on Mr. David Fitzgerald, of this city, under, and for whom, Mr. Hill, who was assassinated, transacted business as sub-agent or assistant manager. In the lifetime of Mr. Friend's father, Quane took his allotment of twelve acres and a half, and paid for it the excessive rent of 7*l.* 10*s.* an acre. When, however, with the downfall of Bonaparte, the value of agricultural produce was so much reduced, Quane entered into a new agreement with the present Mr. Friend, of whom as well as the agent and sub-agent, he speaks in terms rather of gratitude than complaint, to assume 4*l.* 10*s.* an acre ; and this sum, together with taxes, making the rent in all about 6*l.* an acre, he has continued since the second agreement to pay with punctuality. He, however, says, though twelve acres and a half was the quantity for which he stipulated to pay, the land has been re-measured since, and some additional breadth charged to his account. He alleges also that if recently, at any time, he happened to be in arrear, he was not allowed the poor-rate, or not allowed it until the whole arrear was liquidated. Last year he shared the common calamity that fell on all of his class in Ireland. He was unable to pay his November gale ; and though he has since reduced the amount by a payment of 5*l.*, still the debt hung over him at the beginning of this year. It would appear that Mr. Friend remaining still an absentee, the management of the property was entrusted to a party —not Mr. Fitzgerald—by whom the issues and profits were not over reproductively applied. Spring arrived with the arrear unpaid. Having consumed a portion of his resources, he was not in a position to till his land to as much advantage as usual. The number of Quane's family was nine, and it will be asked how did they subsist for twelve months—the period between the failure of one crop and the growth of another? The answer is, that a son procured employment for himself and a horse at the railway, and it was upon their earn-

ings for the most part that the whole family depended. Of course the last March rent remained unsettled for, though often required by Mr. Hill; he 'asked for it often enough.' About twenty days since Mr. Hill had notice to quit served on Quane, and on the following day keepers or bailiffs were placed on his produce. He has had in Mr. Bowles of this city, one willing to assist him, and at his interposition an arrangement, which he was to guarantee, was come to, Mr. Fitzgerald and Mr. Hill being consenting parties, that Quane was to get his produce on condition of surrendering and giving up possession of the land. He was thirty-five years tenant; but he was content to quit on the conditions specified. However, after the terms were settled, Mr. Fitzgerald, having perhaps consulted his principal, declined to carry them out. It is stated that when refusing to do so, and proceeding to remove the property, he proposed to do no more than hold it until possession of the land would be given. But it is replied that Mr. Bowles offered to guarantee the surrender, and that therefore the seizure and removal was unnecessary. At all events, Mr. Hill went on Thursday morning to execute the distress on two stacks of wheat, two of oats, and one of barley. A stack of thrashed corn, which was in the barn, had been removed by Mr. Hill's men; they 'whipped it away with them without cant of any kind.' Mr. Hill and his party approached the house at eight o'clock, and were met some distance down the road by Mrs. Quane and her son, the former of whom continued walking by his side, expostulating with him on the course he was about to take, and asking for a few days' indulgence until she could make up the rent to pay him. He refused."

Was not that a case of hardship, and was it not oppressive to the poor man that the terms which had been agreed on should not be carried out? He felt reluctance in detaining the House with these details; but when attempts were made to blacken the character of his unfortunate countrymen, he was bound to bring forward every circumstance to show the crimes done by those in high estate as well. The system was spreading over Ireland. Captain Barry lately sold off the whole crops of his tenantry: how were they to pay the next gale? Colonel Pratt, of Cabra Castle, had served 300 civil bills, and 120 decrees on his tenantry. Mr. Smith adopted the same system; he took everything away from a hen-roost to a horse-shoe." What did the House think of the following case of Colonel Pratt? A poor man, named Conorty, was plaintiff in a civil bill, in which the Colonel was defendant. The man sent a calf to graze on the Colonel's land. The calf died, and the man was refused even the skin, till he brought the case before the barrister, and the Colonel was decreed for 15*s*. The Ministry came down to Parliament for a Coercion Bill against the people; but if they applied for a Coercion Bill for the landlords, they would bring them to a sense of their real interests, and make them feel that it had no connexion with the destitution of the country. It was only by the full co-operation, on fair and equal terms, of landlord and tenant, that they could hope to go through the dreadful winter that was before them, or bear up against the burden of taxation on the property of Ireland. Something ought to be done—what it was he could not say. He was in favour of tenant-right; and he regretted that the question had been decided before it was fairly before the House. It was no theory, no expected benefit; but a practice which had existed for one hundred years, and the result of which Lord Devon's Commission showed to be prosperity and order. It would at once secure the landlord and the tenant their full rights; and the only objection to it, that it prevented the consolidation of small holdings, and kept the gentry from being neighbours, was not one in which he felt much sympathy. Every human institution was liable to evil; and whatever were the imperfections of the tenant-right, he was sure they were much overweighed by its advantages, and that it would restore the stream of prosperity to its former channels, give security to life and property, and prevent those horrible murders which were so deeply to be deplored. To the Bill before the House he would object, even though he approved of every clause, inasmuch as it was not accompanied by measures for food relief, and for the settlement of the landlord and tenant question; but he still further objected to it, because of the despotic powers it would vest in the Irish Executive. It would make the Lord Lieutenant a dictator—an anomaly quite monstrous in our constitution. His power would be absolute, for though by the right hon. Baronet's (Sir G. Grey's) statement it would have been understood that the Bill was only to apply to disturbed districts, it would appear from the Bill itself that the Lord Lieutenant could apply it to any county or any division of a county, disturbed or not, if he thought fit to do so. The present Lord Lieutenant was an eminently good man—his character stood deservedly high; but the argument against despotism was, that though one absolute monarch might be a good man, it did not follow his successor would be equally so, and it was not constitutional to allow the country to be at the mercy of one man. He could proclaim

the whole of Ireland on his mere *dictum*. The Whiteboy Acts were severe enough; transportation was the punishment for offences under them; but still it could not be made applicable to any district unless a case were made out for applying it; whereas the Lord Lieutenant could proclaim the most peaceful district, if such were his sovereign will and pleasure. A district might be proclaimed, and penalties inflicted at the will and pleasure of the Lord Lieutenant, without anything of a case being made out. As to calling out the country side in the pursuit of the murderer, he believed that the provisions of the Bill would be entirely inefficient; but if the people were really called out, it would be one of the surest ways of letting the murderer escape in the crowd. With respect to the penalty of levying on the district the expenses of the police, that would cause resistance, and there would then be a recurrence of scenes of blood such as those which occurred when the military and police were employed in collecting tithe. No one was more anxious than he was to see the fearful crimes which had lately occurred suppressed; but let the House remove the sources of those crimes. Humanity to Ireland was humanity to England. Ireland could not be crushed down to misery and indigence without dragging down England with her. You could not keep out the inundation of Irish pauperism, which would overwhelm your towns; pass what exclusion Bills you liked, you could not stop the flood; and when the resources of Ireland were exhausted, and her population beggared by the evils of misgovernment, you also would be pressed down by them. Contagious fever would desolate your cities, and you would regret in time that you did not, by whatever toils of legislation, by whatever expenditure of money, prevent those evils. When so high an authority as the noble Duke at the head of Her Majesty's forces, when so illustrious a warrior had his misgivings as to the danger of England in the event of foreign invasion, what, let him ask, would be the position of Ireland? Two contingencies might occur: the invading force landing on her defenceless shores might meet with no resistance from a people ground to the earth and heartbroken by their miseries; or else, in the madness of their despair, they might be guilty of giving their aid to the invader. You might crush the hostile invasion; but in so doing see all the desolation you would create, see the tremendous expenditure you would incur, whilst by a judicious policy you might obviate the causes of those evils, win the attached gratitude of the inhabitants, and secure to yourselves the love of the gallant, faithful, and true-hearted population in Ireland. For these reasons he greatly deplored that Her Majesty's Ministers should propose this Bill. He lamented the conduct of the English press in advocating stringent coercive measures for Ireland, with one exception; he must bear his testimony to the public service rendered by the *Morning Chronicle*, which had placed the duty of Government fairly before Ministers, and had pointed attention especially to the subject of a landlord and tenant Bill, whilst all the other papers were hounding on the Government to the strongest measures of coercion. Whilst the most bitter abuse and calumnies were lavished on the Roman Catholic clergy in Ireland, no account was taken of their unceasing exhortations to the people to abstain from crime. But for them you would have had Ireland an Aceldama of crime, years and years ago; the country would have been deluged with blood, and all would have ended in a frightful convulsion. Did he calumniate the English public in saying there was this hostile feeling amongst them against Ireland? In the *Examiner* newspaper of yesterday, there was an article which declared—

> "In the present temper of the public mind of this country, Ministers have a *carte blanche* for the coercion of Ireland;" and afterwards, "a Bill to hang first and try afterwards, would hardly be thought to exceed the requirements of the case."

The connexion between England and Ireland, so long as it had subsisted, had ever been marked by scanty and tardy relief, when relief was given, and by prompt and active injustice and oppression. He thought that a better era had arrived in 1846, when he heard many a noble-sounding expression against coercion from Gentlemen who were prepared to coerce to-day. He thought that a time had at length arrived when her cries for common justice would be attended to; but eighteen months had gone by, not one single measure of justice had been passed, and now the Government was found coming forward to propose a Coercion Bill. The hon. Gentleman concluded by moving as an Amendment, that the other Orders of the Day be read.

Mr. M. POWER (Cork) admitted that the murders and outrages, which were, of late, of such almost constant occurrence in Ire-

land, were a disgrace to the country; but he thought the present Bill was not a proper remedy, and recommended the Government to use the ordinary powers of the law, and to issue special commissions for the trial of those who were in prison charged with those frightful murders and outrages. He was of this opinion because previous Coercion Bills had failed; for, whilst they only partially checked outrages for the time, they seemed to influence and exasperate the minds of the people generally, and to make them still more discontented with their rulers. Whilst he admitted that the present Lord Lieutenant and Chief Secretary for Ireland gave the greatest satisfaction to the people, and by their able and impartial discharge of their duties reflected credit upon themselves, he earnestly deprecated the placing of extraordinary power in the hands of the local magistracy and landlords, betwixt whom and the people there existed mutual feelings of distrust and aversion; for whilst the former, who were for the most part the descendants of Cromwell's soldiers, regarded the Celts as inferior to them in race, and looked upon them as servants or slaves, disliking their religion and their habits, the great body of the people were, upon the other hand, disposed to regard them as tyrannical masters, or cruel and unfeeling legislators. Where such feelings existed, he repeated his apprehension of seeing the landlord class entrusted with extraordinary powers, for the hard master would never be regarded as a benevolent guardian. He wished to see those measures of amelioration and improvement which the Government announced, and was confident that their speedy passage through this House would do more to conciliate the feelings of the Irish people towards England, and to increase the feeling of obedience and respect for the laws, than any Coercion Bill, however strong in its provisions, or however unanimously supported. He must defend the Roman Catholic clergy of Ireland from the attacks which had been made upon them by the English press; and express his regret to see that, even in the House of Lords their characters had been most foully libelled. The members of that venerable body were unceasing in their exertions to maintain peace and order—to allay the passions of the people; they were to be seen continually on their dreary mission to the abodes of famine, disease, and death; ministering to the wants of the wretched, and, by religious motives, inducing the exasperated peasant to refrain from crime. Surely, it was too bad to designate such men as the abettors of outrage. What the press might say or do he would not mind; but to see men high in position thus lending their names to such foul slanders, was unbecoming and undignified. A letter from an Irish Protestant clergyman, inserted in the *Morning Chronicle* a few days ago, had deservedly eulogised th econduct of the Roman Catholic clergy. He denied that the institution of confession was incompatible with constitutional liberty; for confession existed in France, Belgium, Spain, South America, and the United States of America, where constitutional liberty existed to the fullest extent. The prince of confessors, the Pope himself, was engaged in attempting to restore constitutional freedom to all Italy. After some further remarks, he concluded by asking what inscription would the noble Lord (Lord J. Russell) place upon the *tabula rasa* of Ireland—would it be "Ireland coerced," or "Ireland free?" He seconded the Motion.

Mr. GRATTAN (Sir G. Grey, who rose at the same time, having given way) proceeded to say, that although admiring the ability of the speech of the hon. Member for Limerick (Mr. J. O'Connell), he could not coincide in the course taken by him. He was not pledged or bound either to support or oppose the Government. He would give a fair and impartial hearing to their measures, and take them for what they were worth, or vote for their utter rejection if such they deserved. He would do this, not for friendship or hostility to Lord John Russell's Ministry, but for the sake of the Irish people. He had no hesitation to declare that he would support this measure for the sake of the Irish people themselves. He would support it because of the imbecility of those to whom it was intended to apply; for it was quite plain that man was in want of mental ability whose only resource was the pistol. Against such impotent legislation he would take his stand. His hon. Friend (Mr. J. O'Connell) had made an able speech of two hours and a half. His hon. Friend had information, ability, perseverance, and his father's love for Ireland, and great moral courage; but at the same time, he thought the course pursued by his hon. Friend inconsistent, and the topics introduced by him irrelevant. He protested that until the latter part of his hon. Friend's speech he could not dis-

cover that the subject of it was Irish crime, and his hon. Friend talked about distress and death. He was perfectly right in what he said, but that was no part of the present question. The question of distress had nothing to do with that of crime. The starving man came to ask for bread; but the starving man did not come to take your life. The starving man went to a relief committee, and took a can for soup, or a wallet for bread; but he did not carry a pistol in his hand, or a blunderbuss under his coat. The starving man asked for assistance; but did not come to carry war against his benefactor. His hon. Friend had entirely mistaken the nature of the question before them. What was that question? An Amendment had been proposed to the House at the commencement of the Session under the idea that Her Majesty's Ministers were not paying sufficient attention to the necessities of the Irish people. That Amendment, however, had been withdrawn after the speeches of the Home Secretary and the Secretary for Ireland, in which it was stated that it was the intention of Her Majesty's Government to introduce a Bill to remove one of the most frequent causes of complaint in that country. They stated that there were depôts provided with food in several parts of Ireland, and that arrangements had been made to render those available in case of necessity; that, in short, every proper means would be adopted to keep the people from starvation. This had been corroborated by the Lord Lieutenant, who, in answer to an application which had been made to him, had stated that it was the paramount duty of the Government to protect the people, and that duty they were determined to perform. It appeared, then, that so far as the Government could act they had acted in relieving the distress of the Irish people; and that being so, he thought that the Irish Members were bound to co-operate with them in protecting the defenceless and unoffending from the attacks of the assassin. The hon. Member for Nottingham moved an Amendment to the first reading of this Bill. His hon. Friend (Mr. J. O'Connell) did not second that Amendment; he did not support it; he did not vote for it. If, then, he did not oppose the measure on its first reading, why did he oppose it now? His hon. Friend had on the present occasion moved an Amendment; but he thought his hon. Friend would act wisely in voting against his own Motion. For his part, he saw very little coercion in the Bill. He would ask any man to consider the Coercion Bills of 1814, of 1822, of 1833, which suspended the constitution, and established martial law, and of 1835—let hon. Members consider those Bills and compare them with the present mitigated, wretched measure. But he would not abuse a Bill he was going to support; he would only say that, compared with those he had referred to, the present was almost an invisibility. Did the present Bill take away the right of the people to the possession and use of arms? No. The Lord Lieutenant was empowered to proclaim a district where outrages prevailed, but not take away the right of the people to the legitimate use of arms. If, however, the authorities saw men with blackened faces and arms in their hands, they would of course interfere, just as in this country they would interfere with a poacher in similar circumstances. These people would be considered as poachers on public liberty; and would be warned that if they did not go away their arms would be taken from them. In order, also, to have some security against the abuse of the possession of arms, it was proposed that persons who required arms should take out licenses. Coercion Bill! Did they call this coercion? Was there any curfew clause, compelling the people to remain in their houses from sunset to sunrise? There was no such power in this measure; neither was there any power to make searches for arms by night. It was merely proposed that at proper hours, and after due notice, the authorities should have a right to see whether those who had no license had any arms in their possession—and if they had what was to become of those arms? He was astonished at the moderation of the Bill. Were the arms to be forfeited? Nothing of the kind. They were merely to be taken from them, and, after a time, restored to the parties again if they conducted themselves well. How such a measure as this could justly be baptized as a Coercion Bill he could not see. The hon. Member (Mr. O'Connell) might call it so; he could not. He admitted that there were points in his hon. Friend's speech which he had pressed very fairly and very justly, and those he thought ought to be attended to. He would agree with his hon. Friend in censuring Ministers if they did not bring forward measures worthy of their confidence; but it was only reasonable to wait until Ministers had been

guilty of some dereliction of duty. There was another part of the Bill which his hon. Friend had censured, but which he did not think deserved censure. He alluded to that part which rendered it imperative upon the people to join in pursuit of the murderer. He only thought the Bill did not go far enough. He would make the gentleman come out as well as the poor man. He did not see why the rich man should not have this duty imposed upon him as well as the poor man. He would say, that if a man had property he should stand by his property; that instead of his flying to Downing Street for protection, he ought to take a gun on his shoulder and protect his wife and family at home. He would not say that a man who would not do that deserved to be shot, but he would say that the sooner he left the country the better. Lord De Freyne had sworn in his tenants as special constables, and Mr. Grace had done the same thing; and why should not others follow their example? Were they to believe that the aristocracy and gentry of Ireland had made themselves so unpopular that they could not find ten or fifteen men to stand by them and protect their lives, their properties, their wives, and their children? He would not believe it. So far then as the hon. Member's objections were directed against this part of the measure, he thought them quite unfounded. There were some things, however, which he thought his hon. Friend was quite right to allude to. With respect to Lord Devon's Commission, he thought that the report made by that body was the most unfortunate thing that could have been issued. There never was a more dangerous thing done than to proclaim to the Irish peasantry that they were in a state of greater misery, destitution, and beggary than the people of any other country in Europe—that they were "badly housed, badly fed, badly clothed, and badly paid for their labour." Nothing, he repeated, could be more dangerous than to make this declaration of unexampled distress, if they did not intend to provide an instant remedy. And yet that report had been in existence several years, and no measure had been founded on it. There was another subject of exasperation—he referred to the poor-law. When the poor-law was passed a very proper regulation was inserted, enacting that the landlords should pay the rates for all those of their tenantry who farmed holdings of less than 4*l*. rent. The immediate consequence of that enactment was, that the middlemen, and some, he was sorry to say, of the head landlords too, attempted to get rid of the smaller holders, and to drive them off their lands. That was another aggravation of the difficulties under which Ireland laboured, and nothing had since taken place in the shape of a remedy. The right hon. Baronet the Member for Ripon was Home Secretary when this measure was brought in: why did he not, at the same time, bring in a Bill to remedy the evils existing in the law between landlord and tenant? He had never heard any answer given to that question? He was sorry that Government had brought forward no measure to remedy the evils which existed in reference to the relations between landlord and tenant. He begged to call attention to the remarks which had been made by Lord John Russell on the 3rd of April, 1846, for his words deserved to be remembered:—

"That the relation of landlord and tenant is in an unsatisfactory state, is what no one will deny. That any Bill which this Parliament can pass can so regulate these relations that there will not be much left to the justice, the sense of fairness, the moderation, and good sense of the landlord on the one hand, and the tenant on the other, is what no man can affirm. But this state of things makes it absolutely necessary for the Legislature to do all that it can. It is necessary to do so, in the first place, because the law is in an unsatisfactory state; and such grievances as can be remedied by the Legislature ought to be remedied by legislation. It is necessary, likewise, to do this in order that the extravagant expectations—expectations naturally extravagant—which were raised by the appointment of the Landlord and Tenant Commission, should be set at rest and quieted by our decision. I trust that before the second reading of this Bill a measure will be laid on the table of this House, having reference to the law of landlord and tenant, that we may know what are the intentions of the Government on that subject."

He hoped that the Government would keep their promise on this point; but even if they did not, he would not say that he would vote against a moderate Bill like this. He never would admit that there were any causes which could excuse, though they might account for crime, because he never could admit that the being driven from his house could be an excuse for any man committing assassination. But how was Lord Devon's Commission connected with the present case? Because the evidence before that Commission showed that the crimes in Ireland were to be traced to the great disproportion that existed between the demand for and the supply of labour. Land was the only security for existence, and

therefore the peasantry clung to it, as they knew that the very existence of their families depended on it. He thought, then, it was the duty of the House not to separate for the recess until a Bill to remedy these evils was laid upon the table. If that was not done, he would willingly join in a vote of censure upon the Government, because it would then be apparent that they were not as anxious to remedy the evils of Ireland as he believed them at present to be. There was another subject to which, though it was a painful one, he felt bound to allude—he meant the statements that had been made with respect to the Roman Catholic clergy. The hon. Member for Waterford had already answered those statements, by referring to the evidence of Protestant clergymen, and he would answer them too. In the relief committees of last year, nothing delighted him more than to see the Protestant and the Roman Catholic clergymen coming arm in arm, and making joint statements as to the necessities of the poor. There was no idea then that the Roman Catholic clergy were exceeding their duty, or that they were abetting assassination. The same answer was given in the evidence of the police magistrates, and from an analysis of their evidence, there was no charitable mind but must be satisfied that the charges were as unfounded as they were calumnious. He knew many clergymen of both religions—he was quite ready to put one against the other; and he was certain that there were many of the Roman Catholic clergymen who knew more of the Thirty-nine Articles than the Protestants. The hon. Member for the Univerity of Oxford smiled; but he would find many of them who would puzzle his hon. Friend in divinity, though he knew a great deal of it, and practised a great deal too. The hon. Member then mentioned a case where an individual had been put to death on a Sunday, while a priest was at prayers in a Roman Catholic chapel. When the priest heard of it he left the altar, censured the people, and told them of the gross crime they had committed. And what was the answer of the people? An individual heard them muttering, "Ah, it is a bad thing; but it is a pity we did not shoot the priest too, for what business has he to interfere?" How, then, could it be said that the priests neglected their duty? He could produce, for the satisfaction of hon. Gentlemen opposite, threatening notices that had been sent to the priests, and even to the bishops themselves, just because they interfered, and would not allow these things to go on. To come back to the Bill before them, he held that it was the duty of Lord Clarendon not to wait for it. It was his bounden duty to protect life; and if the gentry were so timid that they would not protect themselves, he must send the armed police to do it for them; but, at the same time, the Bill ought to be so amended as to call out the cavalry, and force them to keep watch and ward. He knew that the farmers were as anxious for the passing of this Bill as they could be themselves. He hoped, therefore, there would be a unanimous support of this Bill, and that if the Government afterwards failed in bringing forward remedial measures, there would then be as unanimous a vote of censure upon them. For himself, the orders he had given to his tenantry were not to prime and load, but to present and fire. Those were the orders he had given—it was those orders that had enabled him to attend in his place; for he, too, had received threatening notices, and that was the way he had anwsered them. He would have no parley with assassins, and, therefore, he would support this Bill, which must be supported if they did their duty as men and as Christians.

Sir GEORGE GREY said, he was very glad that his hon. Friend who had just sat down had been called upon to address the House before himself, as his speech confirmed the opinion which he had risen to state, namely, that it would be unnecessary for him to appeal to the House to reject the Motion of the hon. Gentleman the Member for Kilkenny. He had felt the firmest conviction, that not only the great majority of that House, but the great majority of the Irish Members themselves, would not lend themselves to any proposal the effect of which would be to obstruct—he would not say the future progress of the Bill that was now under consideration—but would obstruct the Government in submitting to the House the Motion for the second reading of the Bill, when the principles of the Bill would properly come under discussion. He had now risen chiefly for the purpose of expressing his earnest hope that those Gentlemen, at least, who felt the importance—an importance he could not himself impress too strongly on the House—of promptly passing that measure, if it were to be of any avail, would not be led away by the speech of the hon. Gentleman the Member for Kilkenny, and the

speech of the hon. Gentleman who seconded his Motion, into that wide field of discussion into which they had invited the House. He asked them to abstain from that discussion now, not because he did not feel the importance of the many questions which had been touched upon by the hon. Member for Kilkenny—for he agreed with the hon. Member for Meath that many of those questions were eminently deserving of the consideration of the House—but that was not the time nor the occasion for them to enter into them. He asked those Gentlemen to postpone any reply to the observations which the hon. Gentleman had made; and he called upon the House to allow the Order of the Day to be read that he might move the second reading, when he would address a few observations to the House to explain more fully the objects of the measure, and to remove some misconceptions which were entertained with regard to it. He purposely abstained from doing so on the present occasion, because that was not the proper stage for it. He would only say with regard to what fell from the hon. Gentleman respecting the feelings against Ireland which were entertained in England, that he utterly denied the existence of any such feelings. He believed that the desire of England was, that Ireland should be virtuous—that she should be happy—that she should be contented and prosperous. But there was a feeling in England, a deep-seated feeling, against the progress, the unchecked progress of crime and assassination. That opinion was entertained by hon. Gentlemen on both sides of the House, from whatever portion of the united empire they came; and he had to ask them now, at all events, to allow the Government to submit to their consideration this Bill, which, in the opinion of the Lord Lieutenant and the Government, was essential for the suppression of crime, and for checking that system of dastardly, cruel, and secret assassination which was a disgrace to any country calling itself Christian, and professing to be civilised. He would not attempt to follow the hon. Gentleman in his reference to the proceedings of the last Session. Although the hon. Gentleman had brought charges against the last Parliament of indifference to the affairs of Ireland, he would not enumerate that long series of Acts which passed, all conceived in a spirit of generosity and benevolence and justice towards Ireland. He would not refer to the days, the weeks, the months that were spent during the last and preceding Sessions of Parliament in considering the affairs of that country with a view to afford relief, and to mitigate the distress and destitution under which the people were suffering, and to provide permanent relief for that distress. Those subjects would come under consideration at a future time, when the hon, Gentleman might bring on his Motion of which he had given notice. Nor would he now enter into a defence of the conduct of the Government. All he said to the hon. Gentleman was, that if he believed the Government to be reprehensible, and their conduct blameable, let him bring on a Motion to that effect, and let him bring it forward openly and fairly, and he would meet it in the same spirit, and would be prepared to abide by the decision of the House upon that question. At all events, let no opinion which the House entertained as to the conduct of the Government with regard to Ireland, as to the evils which required redress, or as to the means which they had provided of meeting those evils, under which Ireland suffered; let no opinion as to the conduct of the Government prevent their proceeding to consider this measure, which he believed was immediately necessary to check the progress of that crime which was at present prevailing in Ireland. He would not say one word more except to urgently entreat the House to allow the order for the second reading of the Bill to be read, that they might enter at once upon the consideration of the subject.

Mr. FEARGUS O'CONNOR said, that if he had the slightest notion that this Bill of the right hon. Baronet, as he could wish, would lead to a restoration of peace in Ireland, he would be the last Member in that House to postpone the object which the right hon. Gentleman had in view for a single moment. He was sure that the right hon. Gentleman must have frequently said to himself whilst listening to the support of the hon. Member for Meath (Mr. Grattan), "Defend me from my friends!" It had been the misfortune of Ireland that those persons who undertook to represent her distresses and her grievances never could agree among themselves. He would say of this House of Commons that which he could not say of the House in 1833, 1834, and 1835, that if the Irish people owe it no further favour then this, it was a great one—there never was a more patient hearing, at all events, afforded than

had been given to this Bill; though that observation probably would be misrepresented by some Gentlemen in that House. Let it not be supposed that he was defending assassination while he was merely opposing a measure which he conscientiously believed would lead to further assassination. The hon. Gentleman the Member for Meath had concluded his speech by telling them that he would not wait to prime and load, but he would fire first and prime and load afterwards. The hon. and learned Gentleman the Member for Meath had himself proved to demonstration that during the last twenty months the Government had been guilty of the most scandalous dereliction of duty towards the people of Ireland. And yet, with a spirit of perverseness which to all rational men must appear utterly unaccountable, the hon. Member now came forward to declare his determination to support them in their present measure, simply because he had implicit reliance on their good intentions. Anything more anomalous, more irrational, more contradictory than this he had never heard of. It was easy to inveigh against the Irish people—it was easy to impute to a whole nation the shame and criminality which were properly applicable only to the proceedings of a few; but let those who slandered Ireland turn over the page of history, and say what other country presented such an instance of patience and long-suffering as she did. Last year alone, one million of her children fell victims to pestilence and famine, and sank into their cold grave without a murmur, almost without a groan. Some of the members of his own immediate family were amongst the most extensive landholders in Ireland. They were landlords, magistrates, and grand jurors, and were not afraid to walk through the country at all hours of the day and night. Whence arose this confidence? Simply from the consciousness that they had discharged their duty, and had done nothing to place them within the range of the arm af the assassin. If all other landlords and magistrates acted with equal propriety, there would be security for life in every district of Ireland without exception. He would resist this scandalous Coercion Bill to the last. It was unnecessary, and it was disgracefully tyrannical. There could be no excuse for introducing such a measure, unless the ordinary resources of the law had been taxed to the uttermost, and taxed in vain, and unless measures of a remedial and conciliatory character had been found to be inefficient in establishing good order. The hon. and learned Member for Meath admitted that the Bill was a paltry, pitiful, despicable abortion, and yet he was prepared to give it his warmest support. Would he do so if the late Ministry were now in office, and if it were brought forward under their patronage? Would he dare to do so if they were on the eve of a general election? He did not hesitate to predict that the effect of the present Bill would be to bring the ordinary law into disrespect. Such had ever been the operation of penal enactments. The Lord Lieutenant had not (it was idle to say he had) put the ordinary resources of the law into full play. He had power to order a special commission when and where he pleased; he had power to change the venue—to select his own judge—a most invaluable privilege when there was a question of carrying the law beyond its proper bearing—to appoint juries, and to compel the admission of the written evidence of a policeman in cases of criminal prosecution, where the case for the Crown broke down. All these great powers were vested in the Irish Executive, in order to the repression of crime, and the assertion of the majesty of the law. Was it not the duty of the Lord Lieutenant to take care that they had all been tried, and tried in vain, before the Irish people were to be given to understand that they must regard themselves as outlaws who were put beyond the pale of the constitution? The right hon. Baronet the Member for Tamworth had declared with a good deal of virtuous indignation that he would not stop to parley with assassins; but was it not worth his while to pause and inquire into the seeds of those crimes which so excited his horror? He had told the House how he had paid a reward of 2,000*l.* to the person who gave evidence to lead to the detection of those who were engaged in a conspiracy to murder a respectable gentleman in the county of Cork some years ago; but it was the very system which was thus fostered and nurtured throughout Ireland that he now regarded with feelings of such terror and alarm. He feared that the operation of the present Bill would be simply this, that the cowardly man would suborn some desperate villain to commit a murder, and would then betray him and fly to the Lord Lieutenant for his reward. A contrast had been drawn between the landlords of England and those of Ireland.

The two classes were not to be compared. The good landlord was the exception in Ireland; whereas there was scarcely such a thing known as a bad landlord in England. In Ireland, the tenants, subordinates, and dependants were all compelled to be subsidiary to the folly, the insolence, and the profligacy of the landlord; whereas in England, let the landlord be ever so bad, the rights of the tenant were still maintained inviolate. In England, if there arose a necessity for selling the landlord's estate, it passed into the hands of others before the tenants had been sacked and reduced to beggary. The very reverse was the case in Ireland. The landlords, taken as a body, were heartless and profligate. The English Parliament had, by its legislation, encouraged them in their heartlessness and profligacy, and from that seed sprang the briars and thorns which now infested the land. All these agrarian crimes grew out of and were perpetuated by the vicious principle on which was based the relation between landlord and tenant in Ireland. In England there did not exist the same inducement to commit those offences, and they therefore were unheard of. In England the people were fostered and cared for; in Ireland they were disinherited and trampled on. There had been a long debate in that House on commercial affairs and the monetary pressure; but not one word had been said with respect to the disastrous effect which the tightness of the money market had had upon the fortunes of Ireland. And yet there was no part of the empire which had suffered so cruelly. Almost all the estates in Ireland were now mortgaged. His only surprise was that Ireland was so calm as she was. The right hon. Baronet the Secretary for the Home Department had made an elaborate speech on bringing up his indictment against the Irish people; but he had not made it his duty, as he was bound to have done, to give a faithful representation of the state of things in that country. He had not enumerated the wrongs and sufferings of the Irish people; he had not told the House of their piteous poverty; nor had he, while the financial question was under consideration, taken occasion to illustrate its bearing on Ireland by mentioning this fact, that the solicitor of the Provincial Bank alone had entered no less than 800 declarations on behalf of that establishment. But, to revert to the Bill under discussion, he resisted it not so much because it was unconstitutionally stringent, as because the highest authorities who had written on such subjects had been unanimous in declaring it as their opinion that the effect of such penal enactments had ever been, and must ever be, eminently prejudicial to the character of the community for whom they were enacted. To illustrate this position, and to show that laws of too great severity defeated their own object, by directing men's minds to the desire of revolution rather than to the love and practice of virtue, the hon. and learned Gentleman read extracts from *Beccaria on Crimes and Punishments; Montesquieu on the Spirit of Laws; Blackstone's Commentaries; and Lord John Russell on the Government and Constitution of England.* With the written sentiments of the author of the last-named work he entirely concurred; but vast, indeed, was the difference between Russell out of office, courting the favour and co-operation of the Irish Members, and the same personage seated on the throne of office, and totally regardless both of Ireland and her representatives. The evidence adduced before the Committee of that House which was appointed to consider the question of introducing alterations in the criminal code, eloquently demonstrated the evil effect of even overstraining the ordinary law; and was it humane—was it wise—at a moment when the Irish were about to again petition, not for bullets but for alms—was it wise at such a moment, after one million of them had gone down to the cold grave unpitied victims of pestilence and famine—was it wise, he asked, at such a moment for a Ministry with professions of liberality on their lips, to come down and ask the assent of the House to a Bill so vicious in principle, so inadequate in operation—a Bill which the hon. and learned Member for Meath denounced, while he supported it, as pitiful, paltry, rubbishy, and despicable? But was it to be wondered at that Ireland should be lost and forsaken, powerless and friendless as she was, when a Gentleman sent to that House to represent, not to coerce her, betrayed his trust, and turned round to invoke the good intentions of a Government who, he admitted, had invariably deceived, invariably betrayed him? It was true that one of the banes of Ireland was a poor and proud aristocracy, who were content to appeal to the bounty of England, rather than put their shoulders to the wheel, and work out their own salvation. But English legislation had made

them what they were. England had sown the seed—she now must reap the harvest. English laws and English persecution were the cause of the vices of the Irish people—their virtues only were their own. The Irish peasant, when he left his home and passed to a foreign land, was remarkable everywhere for his industry, intelligence, and zeal. He took the lion's share of the toil wherever he might be cast. He was industrious in all lands but his own. Why was he not so in his own? Because there was a tyrant who ruled over him with a rod of iron, and would not permit him to enjoy the fruit of his labour. The moment one of the peasant class became industrious in Ireland, that moment he sealed, as it were, his own fate, and ruined his prospects. He soon found to his cost that it was for another he was toiling, and not for himself. Until this anomalous state of things was remedied, it was in vain to hope for good order or tranquillity in Ireland. The Ministry who would seek to rule Ireland, should take their stand upon some settled principle of right. The present Ministry did not seek to do that. They did not hold power on any settled principle. They were indebted for it to the mere accident that certain parties who ought to be combined were disunited. The moment there was a prospect of those parties being reconciled and co-operating, farewell for ever to the intolerance of the coercive Whig Government. He knew of old what Whig professions meant, and what value was to be attached to Whig promises. When they were weak, they always courted Ireland, and fawned upon her; when they were strong, they openly betrayed the hatred which lurked in their hearts, and treacherously turned on those who had supported them. How had they acted a few years ago when weak? Instead of sending an agricultural man to be Lord Lieutenant of an agricultural country, they sent an officer decked in silks and feathers, no other than a Marquess of Normanby, who at the time these crimes were being engendered, instead of issuing proclamations, and making the law respected, careered through the country like another Don Quixotte, declared a general gaol delivery, and went about letting thieves, villains, and pickpockets loose on society. He remembered when all this was done to court popularity among the Irish people; and now they came down to that House for a Coercion Bill, by which they might override the ordinary law once more. Was ever anything half so absurd? Nothing, unless indeed it were the mild provision (mild as mother's milk) of the present Bill, which made it imperative that when a murder was committed, half the population of a county, children of sixteen, and old men of sixty, should scamper through the corn fields after the murderer, or else make up their minds to submit to imprisonment for two years. The right hon. Gentleman the Home Secretary had read letters descriptive of the state of Ireland; but he knew well how nefariously such letters, and the information conveyed in them, were got up by parties interested. He could relate to the House many instances to prove the base means resorted to for the purpose of misrepresenting and injuring, for interested purposes, the people of Ireland. In 1833, while professionally engaged at Clonakilty, he was thrown from his horse; and, while suffering under the injuries then received, was sent home by a friend in his gig. While so travelling, he fell into conversation with the servant who accompanied him; and this person told him, that at the time Whiteboyism was at its height he was living with a captain in the army; that a major belonging to the same regiment was on a visit to his master; and that they, accompanied by two or three other persons, went out at night with their faces blackened, and swore in the people in their neighbourhood to be Whiteboys, in order that they (the officers) might thereby get employment. He communicated this information to Lord Hatherton (then Mr. Littleton, and Chief Secretary for Ireland), and offered to bring forward the man as evidence, provided measures were taken for his protection, and the means given him of going to a foreign country, if necessary; but he would not interfere in the case, because the parties concerned were gentlemen. He himself had an Orange Protestant steward, and he had received a threatening notice, requiring him to dismiss that steward. He took no notice of it, and his plantation was cut down. He received another notice; but he asked only for the ordinary law, and he went out with four men and five double-barrelled guns, and, as soon as the plantation was attacked, they fired ten shots wide of the mark to frighten the assailants away; but the man who had written the letter had a private pique against the steward for impounding his cattle. In 1823, a tenant of his family, named Phinn, had received a notice that

Captain Rock would call for a large quantity of whiskey; and when Captain Rock did call, he was accompanied by some of the yeomanry; the captain of the yeomanry corps, who was only one field off, was put on full pay shortly afterwards. They had themselves only to blame if crime did exist; and it was not fair to punish crimes which they had encouraged. He knew also of a magistrate at Cork, who had wishdrawn a warrant for the apprehension of a man, named Ross, on a charge of murdering one Ganovan, in consequence of a letter which he had received requiring him to do so, and saying that Ross was as good a Protestant as ever lived, and Ganovan a rank Papist. Would they now prosecute the priests, and not prosecute that Cork magistrate? The priests were powerful, and for this reason, they were the only consolers of the poor man in Ireland; they were always by the sick man's bed; and the religion which they taught was firmly planted in the hearts of the people. The hope to destroy it was vain. That was the state of the Irish peasant. The middleman, as soon as the landlord abandoned his country and his duties, became the magistrate; he took the position of the landlord, and he had no interest but to get the last shilling from the peasant. That was the system which exhausted the land, and made the Irish come to this country, and require that to be raised by taxation which the land ought to produce. But it was one of the principles of political economy, so much vaunted in the present day, that it mattered not whether the landlord's money was spent in Ireland or elsewhere; that it was to come back again. But was he to be told that it mattered not to the industry and productiveness of that country whether the capital of the landlord was to be employed there in the improvement of the country, or whether it was to be spent in foreign countries? He had spoken as a landlord and as a barrister. He would now speak as an agriculturist, and he was admitted to be one of the best in Ireland. He had had great experience, and he ventured to assert that no labourer earning 8*s*. a week was ever brought before a magistrate for any offences of the nature which were now so prevalent. In 1822 the right hon. Member for Montgomeryshire (Mr. C. W. Wynn), who was then President of the Board of Control, paid a just tribute to the character of the Irish people. That right hon. Gentleman said that, when he reflected on their many admirable qualities—on their genius and intelligence—on their steady devotion to any cause which they heartily espoused—on their patience under privation and suffering, and on their generous hospitality—he could not but condemn that policy by which all these excellent qualities had been perverted, and all these gifts of nature and Providence had been rendered the fruitful source of crime and bloodshed. But, notwithstanding that opinion, Parliament passed a Coercion Bill for Ireland, and suspended the Habeas Corpus Act in that country. In passing any measures for ameliorating the condition of Ireland, it was necessary to enforce the rights of the people, or the landlords would take care to derive all the benefit. When the Legislature gave the landlords of Ireland 25 per cent of the Church property, did the tenants gain anything? No; the landlords pocketed the whole, and the wages of labour, instead of being raised, were reduced. Of the amount which had been recently granted for the relief of the Irish people, no less a sum than 350,000*l*. had been expended in patronage, while only 30,000*l*. had been advanced to landlords for the improvement of their estates. And why was this? Because so many technical impediments were thrown in the way of granting such advances. He was satisfied that they could not improve the condition of the labourers and farmers of Ireland without improving the condition of the landlords; and how was this to be done? Not by giving the landlords money, but by inducing them to make their estates worth money. He was ready to maintain, in spite of agriculturists, and of free-traders, and of political economists, that there was not an acre of land in England or in Ireland which was let at half its value; and that if a better system of agriculture were established, the value of the land would be very materially increased. The landlords of Ireland had managed their property according to the science of politics, instead of by the science of agriculture; and their great object had been to obtain bishoprics or commissions in the army for their sons, and good matches for their daughters, instead of endeavouring to improve their estates. In the good old times of the Hutchinsons and Beresfords, boys were put down in the army list for promotion from the time of their birth; and when he was eleven years old, there were two lieutenants in his class at school. At that time the Beresfords

got everything; and when Lord Cathcart visited the family, as he had seen a great many Beresfords in the army list, he requested to be introduced to the young heroes; and, after dinner, these instructions were given: "When the lieutenant wakes let him come down into the room; when the captain wakes bring him down; and when the colonel wakes put on him his regimentals, and bring him here." He must say he was glad that the hon. and learned Member for Limerick (Mr. J. O'Connell) had seen the prudence and propriety of opposing the measure now before the House; and he hoped the hon. Gentlemen who usually acted with him (Mr. O'Connell) would adopt a similar course. He had suffered much persecution, but he was willing to forgive the Government for their share in it if they were prepared to redeem their pledges with regard to Ireland. The fact was, that the present was a Government of toleration; and the best way to promote the welfare of Ireland would be by a combined action of the Irish Members and landlords, irrespective of politics, of classes, and of religious creeds. If those gentlemen boldly stood out for the rights of property (not only for the rights of the landlords, but also for the rights of the labourers), they would be too strong for the Government. He regretted that the right hon. Member for Tamworth was not in his place to-night; for if the right hon. Gentleman had been present, he would have been glad to have given the right hon. Gentleman some information on the subject of tenant-right; but as that question was to be brought before the House by the hon. Member for Rochdale, he would abstain from commenting upon it at present. He begged, in conclusion, to assure the right hon. Secretary for the Home Department that he would oppose this Bill from the preamble to the last clause; he was determined to divide on every possible opportunity; and, as a reason for not passing the measure, he begged to call the attention of English Members to the position of the hon. Member for Rochdale (Mr. S. Crawford). That hon. Gentleman, who had divided against this Bill, was one of the largest and best landlords in Ireland; he sought for no Coercion Bill to secure him against his tenants' wrath; he could walk over his estate by night and by day in safety, for while he fairly required his rent, he also performed his duty. If he conscientiously believed that this Bill, or even one of a more severe character, would have the effect of repressing crime in Ireland, he would readily give it his support; but it was because he understood the character, the condition, and the constitution of his countrymen better than the right hon. Home Secretary, that he had determined that this insidious measure should not go to the country—at least with the stamp of his (Mr. O'Connor's) approval. He was determined to perform his duty; but he begged to say, that if the right hon. Baronet (Sir G. Grey) thought proper to introduce efficient remedial measures with regard to Ireland, he (Mr. O'Connor) would have great pleasure in giving them that support to which he might consider they were entitled.

Mr. D. BROWNE said, that he was not going to imitate the kind of taste displayed by the hon. Member who had just addressed the House, in the attack which he had made on his hon. Friend the Member for Meath (Mr. Grattan). He believed that that hon. Member held as high a place in the estimation of the people of Ireland as did the hon. Member for Nottingham. Neither would he allude to the hon Gentleman in his new capacities of landlord, lawyer, and agriculturist. Neither would he engage in combat with one whose ministerial aspirations were so sanguine and so ambitious. Neither would he attempt to follow him in his other flights. What he wished to do was, to advert to the measure now submitted to consideration; and he thought, from the peculiarity of his position, that the House would grant him its indulgence for a few moments, while he stated his reasons for giving his support to the second reading of the Bill. He would support the measure because it did not go too far, and because the circumstances of the country, he thought, required it. Another reason was, that the provisions would only affect certain guilty characters in the disturbed districts, and that they would go far to protect the great majority in those districts from the reign of terror which prevailed. Under present circumstances, well-disposed men were compelled to enter into unwilling collision with the law, and into unwilling sympathy with crime. He would support the Bill for another reason, and that was, because he believed it would be administered by the present Lord Lieutenant of Ireland with that moderation and with that temper which would not outrage the feelings of the people, and with due regard to the liberties of the subject; while, at the same time, the necessary pro-

tection to life and property would be extended to all classes. Another reason for supporting the measure was, that he conscientiously believed that the majority of the people of Ireland had no sympathy with lawless offenders; because he believed that while, on the part of many persons, a feeling existed that the relation between landlord and tenant might have justified an open, manly resistance, there was not a single individual, with the exception of those lawless characters themselves, who would not say that no state of things could justify assassination, whether committed under the cloud of night, or perpetrated at noonday upon unarmed and unresisting victims. He felt that there was a feeling in Ireland which recoiled from such atrocities; and he believed that the majority of the people, for the sake of the public, for the sake of the honour of their country, for the sake of their individual liberties, were anxious that murder should be suppressed. He believed that in Tipperary the priesthood were anxious that the murderous spirit which disgraced that district should be extirpated. He believed that the murderers were beyond the reach of all moral or civil restraint; he believed they were outcasts from society; he actually believed that they traded in blood; he firmly believed that they had no interest whatever in the relations between landlord and tenant; and he further believed that they were induced to commit their vile crimes, to shed innocent blood, through the base influence of lucre. He repudiated, in the strongest manner that language would enable him, all sympathy with such miscreants; and he would give his humble support to a measure which had for its object the preservation of society against their nefarious operations. The hon. Member, after depicting the circumstances connected with the assassination of the Rev. Mr. Lloyd, asked if that transaction was not base, brutal, and barbarous? Was it not dastardly, cowardly? Did not every one who was animated by a spirit of chivalry, and influenced by the spirit of a man, join in an expression of detestation at the perpetration of such a murder; and would he not readily lend his vigorous help to aid the working of a law intended to prevent the recurrence of such atrocities? The man who declined to do this was a disgrace to his country, to his religion, and to manhood. He might be told that the proposed measure was unconstitutional. True; but was it not a much more unconstitutional act to subject the peaceable population to the continuance of such terrible crimes? He would assert that it was much more unconstitutional to leave the country to the ravages of a body of lawless marauders. As to the alleged causes, he was not on that occasion going to enter into them; for he wished, in the vote he was to give, to separate as distinctly as he could the cause from the effect. He wished to give his vote without any reservation; he wished to hold no parley with murderers; he wished to give his vote without any equivocation, lest by the most remote inference it might be supposed that, by any consideration or stipulation connected with remedial measures, he palliated the crime of murder, or sympathised with the murderer. He would go as far as any Member in the advocacy of remedial measures, and measures, too, of the most comprehensive character; but if he was to advocate the passing of such laws, it would not be because murder had been committed, or because he was intimidated by assassination, but because he believed the system to be vicious, and required to be corrected. With the permission of the House, he would advert to a subject connected with the administration of the law in Ireland. He did not consider that the law was administered in all respects in the way calculated to secure the suppression of crime, or generally for the advantage of society. He would call the attention of the Government to a few facts. The House, perhaps, would be surprised to hear that several of the Crown officers employed in the administration of the criminal law were incapacitated from the performance of their duties by age and infirmity. In Connaught, the senior prosecutor, a gentleman, he believed, of the highest respectability—he did not attach the blame to the present Government, but to previous Irish Governments—had been ten years superannuated as assistant barrister; and, nevertheless, he was entrusted with the discharge of the duties of Crown prosecutor. Again, a gentleman who lately died was superannuated for five years as a Crown prosecutor, and still he was allowed to perform the duties of assistant barrister. In the one case, a person who had been superannuated as an assistant barrister had been allowed to act as Crown prosecutor; and in the other, a person superannuated as Crown prosecutor had been allowed to discharge the duties of assistant barrister. From these facts the natural supposition was, that Government had great favour

and indulgence for incompetency both in the assistant barristers' court and the court of quarter-sessions. After adverting to another case of incompetency from physical causes in one of the Judges, the hon. Member remarked that the circumstances merited the consideration of the Government, in connexion with the due administration of justice. In no country was the administration of the laws more narrowly watched than in Ireland; it formed the subject of conversation and criticism at home; and whatever tended to shake confidence in the due administration of justice ought to be removed.

MR. MAURICE O'CONNELL held in his hand a book, published in 1846, entitled *Debate on the First Reading of the Protection of Life* (*Ireland*) *Bill*, by R. D. Browne, Esq., M.P. The writer stated that Ireland lost 300 faithful representatives by the Union; and then, referring to the division, and adapting a poetical quotation, he exclaimed—

> "Of our three hundred, thirty-three
> "Have fought a new Thermopylæ."

Among those 33 was the hon. Member who had just addressed the House. The book contained his own speech, reported by himself. [Mr. D. BROWNE: No.] Well, the book was edited by him. The hon. Member then read an extract from the speech of the hon. Member for Mayo (Mr. Dillon Browne), in which that hon. Member had maintained that coercive measures had always been ineffectual in putting down outrage in Ireland, because they had been unaccompanied by any remedial measures. It was, therefore, with some feeling of humiliation and shame that he (Mr. M. O'Connell), as an Irishman, rose in that House when he found an hon. Member from Ireland now advocating doctrines which twenty months ago they repudiated with scorn, and who now proposed to vote for a measure to which at that time they would have scorned to give their aid. He alluded not merely to the hon. Member who had just sat down, and who he was sorry to say had obliged him to adopt this position with reference to him, but he also alluded to the speech of the hon. Gentleman the Member for Meath. He had to complain of a little want of fair play on the part of the hon. Gentleman. Hon. Members were now present who could bear him (Mr. M. O'Connell) out in what he was about to state. At the suggestion of several Irish Members—himself amongst the rest—the hon. Member for the city of Limerick forbore bringing on a notice which he had on the list on Thursday last, in order not to delay the debate on the Bank question, on the distinct understanding that he should have—as he wished to speak on Irish distress—an opportunity of doing so. An Amendment was to have been moved by the hon. Member for the county of Limerick (Mr. W. S. O'Brien), and seconded by the hon. Member for the city of Limerick; and in the absence of the hon. Member for the county of Limerick, that Amendment had been moved by his (Mr. M. O'Connell's) brother; yet the hon. Member for the county of Meath, having made that stipulation, turned round upon him and accused him of going out of the question; and he said further, that distress in Ireland had nothing to do with outrages in Ireland, although it had been admitted on every occasion that agricultural distress in Ireland was the frightful source of discord. He had ever been amongst the first to denounce agrarian crime; but where there was a party in a country that had no remedy by law, and that was driven out to starve, what human nature was there, let him ask, that could withstand such temptation to crime? Would they like to see such an experiment in England? But the hon. Members for Mayo and Meath appeared to be astonished that some of them (the Irish Members) should resist this Bill at this stage. Let it not be forgotten, however, that they had permitted the first reading of the Bill, when, if they had chosen, they could have prevented the measure from being brought in even yet. But they did not; and why? Because remedial measures were promised; because in 1846 they had upon record, on the first reading of the Coercion Bill of that year, that the present Government would propose a measure for the settlement of the vexed question of landlord and tenant in Ireland. That measure was put off upon one pretext and another, and now the Government asked them to sanction a measure for infringing the constitution, without accompanying it with any measure of an ameliorating character. Was it to be wondered at, then, that under these circumstances they should take every possible means to prevent the further progress of this Bill, or that they should strive to delay it by every possible method that Parliamentary usage afforded them, until Government declared what it was they intended to do with the much confused and much abused relations of landlord and tenant,

and how they proposed giving justice and protection to the peasant? He had objections to this Bill on grounds extraneous to the Bill itself. He objected to it particularly on account of a conversation which had taken place between the right hon. Baronet the Member for Tamworth and the right hon. Baronet the Secretary of State for the Home Department. It would also be in the recollection of the House that the right hon. Baronet the Member for Tamworth suggested the propriety of establishing a detective police in Ireland; and it would be in the recollection of the House that the Secretary of State for the Home Department stated that such a force was in the course of organisation, and that they were not merely to be employed for the detection of an intention to commit crime, but that they were to be employed on a roving commission throughout the country, and go about among the people, in order to ascertain who those were who were ready to commit crime, and then remain watching until the schemes of the parties should be brought to such a stage as that the law might lay hold of them. That, he was sure, was a system which no Englishman would sanction. He, as an Irishman, could not hear of it wishout shame and indignation This, therefore, was a strong additional reason why he would not give any further power to the Government by this Bill. It was a measure not merely for supporting and carrying out the spy system, but one for absolutely organising it. Such a system led to perjury, to all sorts of crimes, and even to the murder of the unfortunate agents employed under it. The right hon. Baronet at the head of the Home Department had stated, in answer to the right hon. Baronet the Member for Tamworth, that a detective police was now being organised—that they were to have a corps not merely of occasional recruits in this service, but a body of men fully disciplined, fully appointed, and fully accoutred, acting with the authority of Government under the name of a detective police; but which really and truly would be a force employed, though perhaps not so intended by the Government, in entrapping the people into crime, for the purpose of earning "blood money." During the last Parliament there was a considerable discussion on a portion of the spy system. The right hon. Gentleman then at the head of the Home Department (Sir J. Graham) was accused at the time of having encouraged the opening of letters at the Post-office; and one of his most active assailants was *Punch;* and he (Mr. O'Connell) recollected, that in that publication there was an engraving of the right hon. Gentleman (Sir J. Graham) instructing the letter carriers in the art of opening letters, drilling them, and giving them the word of command. Now he should hope, if this detective police were established under the present Government, that at all events they would have the successor of the right hon. Gentleman—he meant the present Home Secretary—depicted in the same way and in the same lively manner, giving instructions to a corps of Irish informers. Such a measure as that now proposed was without precedent in the history of any country except that of Ireland. The crimes which occurred in some parts of Ireland were as abhorrent to his feelings as they could be to those of any man; and he had used all the influence which he possessed to enforce obedience to the law as the primary duty of the people; but because he abhorred crime, it did not follow that he must approve of a grossly unconstitutional measure like that now proposed. He fully concurred in the maxim which his late father always so forcibly inculcated—"He who violates the law is the worst enemy of Ireland;" but whilst denouncing individual transgressors, he could not consent to a wholesale violation of the constitution. Crime in Ireland would be suppressed by the tenantry themselves, if the landlords would set the example by exerting themselves in re-establishing order. The measure before the House was a landlords' Bill; its object was to aid grinding landlords who neglected their duty. Why had not the Landlord and Tenant Bill been brought into the House before the second reading of this Bill was proposed? Why had not its leading provisions been stated? It was understood that the Bill was actually in print, and, therefore, there could be no valid reason for not putting the House in possession of its enactments. Report upon report had been made upon the subject, but yet nothing had been done respecting it. Lord Devon's report contained several suggestions which he would enumerate. In the first place, it was suggested that tenants should have leases and compensation for improvements which they made upon their land. That suggestion had not been carried into effect. In the next place, it was suggested that landlords should build houses for their tenants, and

that the burdens on land should be reduced and put under better regulation. How stood the case at present? Had the burdens on land been reduced and put under better regulation? On the contrary, where the tenant paid 1*s*. in rates in 1845, when Lord Devon's Commission terminated, he paid 3*s*. or 4*s*. now. He should say that it would be much better to set the constitution totally aside, than to endeavour by a Bill of this sort to make the people pay that which in their best days they could hardly be expected to pay. In such a state of things it would be a tremendous exercise of power to come in upon the people with an additional police force in any district which the Lord Lieutenant might be pleased to indicate. It was all at his pleasure. He might put any district he thought proper under the operation of the Bill. It could not have been forgotten that elsewhere, as well as in the course of the present discussions, much had been said about what were called denunciations from the altar. Now, he possessed the best evidence that, in a very recent case, the clergyman accused of one of these denunciations, that of Major Mahon, was perfectly innocent of the charge, having never uttered a word on the subject. But, notwithstanding all that had been said with reference to this matter, he could not help asking them what they in England would think of a man recently come into a considerable estate who, having a village near his demesne, took from the villagers the little fields in which they were accustomed to graze their cows and raise their poor pittance of food, in order to add them to his great demesne? What would be thought of a landlord whose tenantry were in the utmost want of fuel, and who would not allow them to gather the waste wood in his plantations, but took care to have it all made up into faggots and sold for his own profit? Until the noble Lord at the head of the Government put on the table of the House remedial measures for Ireland, they would find him ready to obstruct, by every means in his power, the progress of the present measure.

Mr. GARDNER wished to state to the House the reasons why he was disposed to give a somewhat reluctant support to this Bill. A matter of 200 constables and a partial disarmament were not very strong measures to put down robbery and murder; neither did he foresee, like some more susceptible Gentlemen, any assault against the liberties of Ireland in this Bill, although he admitted that those liberties had been in abeyance ever since Ireland was a country, and that they would continue to be in abeyance, so far as this Bill was concerned, whether it was accepted or rejected. At the same time, he regretted that the noble Lord at the head of the Government had not more clearly indicated the remedial measures which he intended to propose for Ireland. That country had long groaned under a bad aristocracy and an alien priesthood; and besides that, we had robbed the Catholics of their property, and ruined the manufactures of the Irish. As he was fully convinced that religious animosities were the main cause of misgovernment in Ireland, he reminded the House that the outward and visible sign of that misgovernment, the Protestant Established Church, still existed. He did not indeed pretend that the present outrages in Ireland were directly chargeable upon that grievance, or that they would be pacified simply by its removal. He had, he confessed, very little faith in the immediate operation of any remedial law, or any remedial set of laws, upon the condition of Ireland. We ought to retrace every single step of misgovernment before we could even hope to begin to tranquillise Ireland.

"Delicta majorum immeriti luimus."

Mr. KEATING said, he considered it necessary to give the House some information on several of the topics which had been under discussion. The right hon. Baronet had cited the case of Mr. Roe; and that case had been mentioned by several other hon. Members. So far from the Romish priesthood being parties to the agrarian outrages so common in some parts of Ireland, the very reverse was generally the fact. In the chapel of the parish in which Mr. Roe resided, the priest, after that gentleman's death, mentioned his loss in terms of the greatest regret. He said Mr. Roe was a great loss as a resident gentleman, as a magistrate, as a poor-law guardian, and in every relation of life. He was said to be a great loss to the country; that the subscription to the poor in that district had been originated by Mr. Roe; and that that gentleman had subscribed more than was expected from him. The priest showed also that Mr. Roe's mother and sister had established by their own personal exertions a soup kitchen, and had thus saved the lives of many poor famine-stricken creatures. He mentioned these facts because the hon. Gentleman near him had

read a letter which implied the reverse of these facts. He could not support the Bill, because he conceived it would be a complete failure without remedial measures. In order to show how much more effective mild treatment was than coercion, the hon. Member mentioned an estate of 300 acres in Tipperary which at one time had on it the worst tenantry in all Ireland; so bad, that on the priest being removed, they nailed up the chapel door, and would not allow mass to be performed, and it was not performed until the introduction of a military force into the neighbourhood. The estate had been for many years in Chancery, and the people were unaccustomed to the payment of rent. For a long time no one would purchase this estate, until, at length, Mr. Pennefather—now Baron Pennefather—bought it, and from that moment there had been but one man from that estate before a court of assize. Mr. Pennefather told them, "You must pay me a fair rent, and I will do so and so; I will do my part, and you must do yours." If other men would do as he had done, there would be no occasion for coercion. He would not, therefore, support any measure which did not conciliate the people.

MR. FAGAN moved the adjournment of the debate.

SIR G. GREY hoped the Motion would not be pressed. The hon. Gentleman was a new Member of the House, and when he was informed that, in future stages of the Bill, there would be ample opportunity of addressing the House, he was sure the hon. Member would not act unfairly or offer a factious opposition. There was great inconvenience, and it was contrary to the usual practice of the House, to discuss the Bill generally on an Amendment.

MR. FAGAN said, that his conduct would never render him obnoxious to the charge of being factious; but he felt that the line of argument pursued that evening by some of those whom they thought supported their views demanded some reply. It was therefore not fair to call upon him to forego this opportunity, the more particularly as there were other Irish Members who wished to address the House at this stage of the proceedings. When the measure proposed was one of coercion for Ireland, whatever course they might adopt, ought not to be called factious. He proposed now to act strictly according to precedent; and those Gentlemen who now held the reins of Government had acted in a similar manner when in opposition, without being called factious.

The House divided on the question of adjournment:—Ayes 18; Noes 289: Majority 271.

List of the AYES.

Anstey, T. C.	O'Flaherty, A.
Callaghan, D.	Power, Dr.
Devereux, J. T.	Power, N.
Greene, J.	Reynolds, J.
Keating, R.	Roche, E. B.
Meagher, T.	Scholefield, W.
Morgan, H. K. G.	Scully, F.
O'Brien, T.	
O'Connell, J.	TELLERS.
O'Connell, M. J.	Fagan, W.
O'Connor, F.	O'Connell, M.

List of the NOES.

Acton, Col.	Castlereagh, Visct.
Adair, H. E.	Caulfield, Col.
Adair, R. A. S.	Cavendish, hon. C. C.
Aglionby, H. A.	Cayley, E. S.
Anderson, A.	Chichester, Lord J. L.
Anson, hon. Col.	Clay, J.
Arkwright, G.	Clay, Sir W.
Bagshaw, J.	Clements, hon. C. S.
Baines, M. T.	Clerk, rt. hon. Sir G.
Baldock, E. H.	Clifford, H. M.
Baring, rt. hon. F. T.	Clive, Visct.
Baring, T.	Cobden, R.
Barnard, E. G.	Cockburn, A. J. E.
Bateson, T.	Cocks, T. S.
Bellew, R. M.	Cole, hon. H. A.
Bennet, P.	Colebrooke, Sir T. E.
Beresford, W.	Coles, H. B.
Berkeley, hon. Capt.	Cowper, hon. W. F.
Berkeley, hon. G. F.	Craig, W. G.
Bernal, R.	Damer, hon. Col.
Bernard, Visct.	Davie, Sir H. R. F.
Birch, Sir T. B.	Davies, D. A. S.
Blackall, S. W.	Dawson, hon. T. V.
Blake, M. J.	Deedes, W.
Bolling, W.	Deering, J. P.
Bourke, R. S.	Denison, J. E.
Bouverie, E. P.	Dodd, G.
Bowles, Adm.	Drummond, H.
Bowring, Dr.	Duckworth, Sir J. T. B.
Boyd, J.	Duff, G. S.
Bremridge, R.	Duff, J.
Bright, J.	Duke, Sir J.
Brisco, M.	Duncan, G.
Broadley, H.	Dundas, Adm.
Broadwood, H.	Dundas, Sir D.
Brockman, E. D.	Dundas, G.
Brooke, Lord	Dunne, F. P.
Brotherton, J.	Du Pre, C. G.
Browne, W.	Ebrington, Visct.
Browne, R. D.	Elliot, hon. J. E.
Bruce, Lord E.	Enfield, Lord
Buller, C.	Evans, J.
Bunbury, W. M.	Evans, W.
Bunbury, E. H.	Ewart, W.
Burke, Sir T. J.	Farrer, J.
Burroughes, H. N.	Ferguson, Sir R. A.
Busfeild, W.	Ffolliott, J.
Campbell, hon. W. F.	Fitzpatrick, J. W.
Cardwell, E.	Fitzwilliam, hon. G. W.
Carew, W. H. P.	Foley, J. H. H.
Carter, J. B.	Forbes, W.

Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Freestun, Col.
Gardner, R.
Gibson, rt. hon. T. M.
Glyn, G. C.
Godson, R.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Grattan, H.
Greene, T.
Gregson, S.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grogan, E.
Guinness, R. S.
Gwyn, H.
Haggitt, F. R.
Hale, R. B.
Halford, Sir H.
Hall, Sir B.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Hardcastle, J. A.
Hastie, A.
Hastie, A.
Hayes, Sir E.
Hayter, W. G.
Headlam, T. E.
Heald, J.
Henley, J. W.
Herbert, H. A.
Hervey, Lord A.
Heywood, J.
Hodges, T. T.
Hodgson, W. N.
Hood, Sir A.
Hope, Sir J.
Hope, H. T.
Hotham, Lord
Howard, hon C. W. G.
Howard, hon. E. G. G.
Inglis, Sir R. H.
Jermyn, Earl
Jervis, Sir J.
Jervis, J.
Jones, Sir W.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
King, hon. P. J. L.
Labouchere, rt. hon. H.
Lascelles, hon E.
Law, hon. C. E.
Lemon, Sir C.
Lennox, Lord A.
Lennox, Lord H. G.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Lockhart, W.
Macnamara, Major
M'Gregor, J.
M'Naghten, Sir E.
Mahon, The O'Gorman
Maitland, T.
Mangles, R. D.
Marshall, J. G.
Martin, S.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Melgund, Visct.
Meux, Sir H.
Miles, P. W. S.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Monsell, W.
Moore, G. H.
Morpeth, Visct.
Morison, Gen.
Mowatt, F.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Noel, hon. G. J.
Nugent, Sir P.
O'Brien, Sir L.
Ossulston, Lord
Paget, Lord A.
Paget, Lord C.
Palmer, R.
Palmer, R.
Parker, J.
Patten, J. W.
Pearson, C.
Peel, Col.
Perfect, R.
Pigott, F.
Pilkington, J.
Pinney, W.
Plumptre, J. P.
Plowden, W. H. C.
Raphael, A.
Rawdon, Col.
Renton, J. C.
Repton, G. W. J.
Ricardo, J. L.
Ricardo, O.
Rich, H.
Romilly, J.
Russell, F. C. H.
Sadleir, J.
St. George, C.
Salwey, Col.
Sandars, G.
Scrope, G. P.
Seaham, Visct.
Seymour, Lord
Sheil, rt. hon. R. L.
Sibthorp, Col.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, M. T.
Smith, J. B.
Smyth, J. G.
Smythe, hon. G.
Somerton, Visct.
Somerville, rt. hn. Sir W.
Stafford, A. O'Brien
Stanley, hon. E. J.
Stanley, E.
Staunton, Sir G. T.
Strutt, rt. hon. E.
Stuart, Lord D.
Stuart, Lord J.
Sturt, H. G.
Sutton, J. H. M.
Talfourd, Serj.
Taylor, T. E.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, J.
Towneley, J.
Townley, R. G.
Trelawny, J. S.
Turner, G. J.
Vane, Lord H.
Verner, Sir W.
Verney, Sir H.
Villiers, hon. C.
Vivian, J. H.
Vyse, R. H. R. H.
Walmsley, Sir J.
Walter, J.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
West, F. R.
Westhead, J. P.
Willcox, B. M'Ghie
Williams, J.
Willoughby, Sir H.
Wilson, M.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyld, J.
Wyvill, M.
Yorke, H. G. R.
Young, John.

TELLERS.
Hill, Lord M.
Tufnell, H.

SIR GEORGE GREY hoped hon. Members would allow the Order of the Day to be read that night, as the debate might be taken on the second reading.

MR. O'CONNOR moved that the House do now adjourn.

MR. M. O'CONNELL seconded the Motion.

Motion withdrawn. Order of the Day read. Bill to be read a second time the following evening.

The original Motion was then agreed to.

House adjourned.

HOUSE OF LORDS,

Tuesday, December 7, 1847.

MINUTES.] *Took the Oaths.*—Earl of Liverpool.

HOUSE OF COMMONS,

Tuesday, December 7, 1847.

MINUTES.] PUBLIC BILLS.—1° Public Works (Ireland).

PETITIONS PRESENTED. By Mr. B. Cabbell, from Marylebone, and Mr. Halsey, from Stafford, against Removal of Jewish Disabilities.—By Mr. E. B. Roche, from Cork, for the Abolition of Ministers' Money (Ireland).—By Mr. Hume, from Lambeth and Surrey, for Inquiry into the Case of the Rajah of Sattara.—By Lord J. Stuart, from Magistrates of Scotland, for Alteration of Law respecting Personal Estates (Scotland).

CHANGING THE VENUE (IRELAND).

SIR J. WALSH, observing that the Attorney General was in his place, begged to repeat the question he had put to the hon. and learned Gentleman last night—namely, what was the present state of the law with respect to the power of changing the venue in criminal cases in Ireland, and whether the law of Ireland on this subject differed from the law of England?

The ATTORNEY GENERAL stated, that since the hon. Baronet had put this question last night, he had looked into the subject, and was now prepared to answer his inquiries. There were, both in England and in Ireland, many statutes which provided that, in the case of felonies or misdemeanors, offences might be tried either in the county in which such offences were committed, or in the county in which the offenders were apprehended. By the law of England and of Ireland, the place of trial, both of felonies and misdemeanors, might be changed in every case where there was reason to believe that a fair and impartial trial could not be had. The course of proceeding was this: after a Bill had been found by the grand jury the indictment was removed into the Queen's Bench by writ of *certiorari;* when the proceedings were thus taken into the Queen's Bench grounds must be stated on affidavit to show the Court that there was reason for granting the application; and, if the grounds so stated were satisfactory, the venue was directed to a foreign county.

COPYRIGHT IN THE COLONIES.

VISCOUNT MAHON inquired whether any of our colonies had availed themselves of the Act of last Session, whereby the Crown was authorised to suspend the operation of the statutory prohibition against the importation into any colony of foreign reprints of English books, in cases where the legislature of the colony made such a provision with respect to the rights of the authors as should be approved by the Crown?

MR. LABOUCHERE answered, that two among the North American Colonies, namely, Nova Scotia and New Brunswick, had passed colonial Acts, and sent them here for confirmation, imposing a duty of 20 per cent upon the importation of what were before pirated editions of English works published in the United States, and providing that the proceeds of that duty should be remitted for the benefit of those who had the copyright in this country. Her Majesty's Government entirely approved the principle of these Acts; but there were certain details which appeared objectionable, and therefore the Acts had been returned with the statement of those objections; but the details would, no doubt, be satisfactorily arranged.

THE TRADE WITH BRAZIL.

MR. J. WILSON asked whether information had not been received from Rio de Janeiro by the last arrival thence, that the Brazilian Government had issued a decree imposing a differential duty of one-third extra from and after the 1st of July next upon all ships, and their cargoes, entering Brazilian ports from countries where Brazilian ships were not received upon the terms of the most favoured nations—a decree which at the present moment would include English ships.

VISCOUNT PALMERSTON had received a few days ago from Lord Howden a Brazilian newspaper, containing a copy of a decree which tallied with the account given by the hon. Member. It stated, with reference to a former decree of 1844, that from the 1st of July next an addition of one-third would be made to all customs duties upon the cargoes of vessels coming from countries which should not place Brazilian vessels upon the footing of those of the most favoured nations. It stated that, with regard to those countries which now gave this advantage to Brazilian ships, the existing indulgence should be continued to them only until the 1st of July next, unless they should bind themselves by convention to continue that advantage to Brazilian ships for a specific period.

PARLIAMENT OF IRELAND.

SIR G. GREY, with reference to the Motion which stood first on the paper, in the name of the hon. Member for Nottingham (Mr. F. O'Connor), begged to remind the hon. Member that it was the opinion of the Lord Lieutenant of Ireland—in which opinion Her Majesty's Government entirely concurred—that it was of great importance the decision of the House on the measure for the repression of crime and outrage in Ireland should be obtained as speedily as possible. He wished to ask the hon. Member if he considered his Motion of so urgent and imperative a character that it was necessary to interpose the discussion upon it between the stages of the Bill for the suppression of crime in Ireland? There would be ample opportunity in the course of the Session for bringing the subject forward; and he only wished to put it to the hon. Member if he thought it necessary to interpose it between the second reading of the Bill from the full discussion of which he did not desire to shrink.

MR. O'CONNOR said, the right hon. Gentleman had placed him in a very unfair and disagreeable position, because he was perfectly aware of the popularity of

the measure for which he (Sir G. Grey) sought precedence, and of the unpopularity of the measure of the subject of his (Mr. O'Connor's) Motion. But as he considered the discussion upon his Motion ought to precede, and was not inappropriate to the question for which the right hon. Gentleman sought precedence, the right hon. Gentleman would excuse him when he heard his reasons for seeking to bring forward the question at the earliest opportunity. He trusted the right hon. Gentleman would not consider he was actuated by any spirit of factious opposition to the Bill before the House in introducing his Motion at present; and he promised he would delay the House as little as possible. He would proceed with the Motion of which he had given notice, viz.—

"That a Select Committee be appointed to inquire and report on the means by which the dissolution of the Parliament of Ireland was effected; on the effects of that measure upon Ireland and upon the labourers in husbandry and operatives in manufactures in England; and on the probable consequences of continuing the Legislative Union between both Countries."

He was aware of the disagreeable position in which he had been just placed by the request of the right hon. Gentleman opposite; but had witnessed the patience of the House in a very irritating discussion on a very irritating subject, and he trusted their indulgence would likewise be extended to him on the present occasion. It was necessary to bring the topic forward as speedily as possible for this reason, that when an agitation was carried on in the country for a great national purpose, the earliest opportunity should be taken by the advocates of the principle at issue in the agitation to ascertain the opinion of the House of Commons upon it. Moreover, a great many Members had suddenly become converts at the general election to the doctrine of repeal; and he wished to give those Gentlemen the earliest opportunity of redeeming their pledges in the honest manner in which he was sure they would. He had, in order to secure unanimity, adopted, contrary to his own views, the very words of the Gentleman now deceased who brought forward this subject in 1834; and as to any jealousy of him (Mr. O'Connor), he was the first man who ever gave notice of a Motion of this character; he withdrew it in 1833, owing to the appeal of that Gentleman, now no more; but powers of coercion being sought for, there naturally came under consideration the whole state of Ireland, the consequence of which was the demand for those powers. He (Mr. O'Connor) should not enter into any discussion of the relative merits of Saxons and Irishmen; he ought to be the last man in the House to cast any reflection upon the English, for, when the Irish were comparatively unergetic and indolent, nearly 3,500,000 of the English people petitioned for a repeal of the Union. If a Committee were now refused, the Irish people must conclude that there was something which would not bear the light. He should leave statistics to others, and place his appeal upon higher ground than the falling off of exports or imports, or of agriculture. If the House should say that their title was by conquest, he should ask what statute of limitation there was against a country redeeming and regaining its right by conquest again when it should be able to do so; and if, on the other hand, it was alleged that it was the wish of the Irish people that the Union should take place, then he would show in Committee that that was not so; or if it should be said that the two countries were so bound up together that it would be dangerous to sever the tie, then he would ask how it happened, that while England hastened on to the goal of perfection, Ireland had been as rapidly retrograding? He should trace, very briefly, the title of the Crown of England to the dominion of Ireland, dividing his address into four parts. The first title that England had attempted to establish to the dominion of Ireland was by the Charter of Edgar, in 964; next he (Mr. O'Connor) should pass to the 33rd of Henry VIII., showing that during that time both nations were Catholic, and that therefore the disturbances or outrages could not have had their origin in religious distinctions; then he should go on to the American revolution in 1776, thence to 1800, and then to the present time; and of the whole period it would be his object to show that every revolution in Ireland was created by the English by blood, or by the English by birth, or by English Protestants ranged against the Catholic Irish people, and that in no single instance was there an entirely Catholic revolution. Those revolutions were fomented by Protestants, who sought to augment their own power by making the Catholic people their dupes, at the same time limiting the power of that very Catholic people. If he should be able to establish this by historical evidence, he should have made out a strong

case for investigation; at all events, he should have relieved the Catholic people of Ireland from all those aspersions which had been cast against them by hired historians, who represented them as a people always disaffected towards this country. The first title set up for the dominion of England over Ireland was the Charter of Edgar the First, said to be signed at Gloucester; but Leland, an historian mostly favourable to England, said it was a document of doubtful authority at the best, and that consequently it could not be considered anything like a fair title. The next was that claimed by the supposed conquest of Henry II., A.D. 1169. The king of Leinster asked a letter of licence from Henry to engage his subjects to reconquer that province, which gave rise to the invasion of Strongbow. In 1192, Henry II. went over to Ireland with the bull of Nicholas Breakspeare, an English Pope, reigning under the title of Adrian IV., but he remained there only a short time, and made no conquest of the country. Adrian professed to bestow the sovereignty on him, for the ostensible purpose of bringing the Irish Church more thoroughly within the jurisdiction of Rome, and for the equivalent of the "Peter's pence," which was a penny out of every house in the country. The value of that title it would be idle to discuss in an English House of Commons. The next title was that arising out of the alleged conquest of the country by John, who was sent over at twelve years of age to receive the submission of the lords of Ireland at Waterford. But it was an historical fact that the very next day after the submission the war against the rule of England commenced, which proved that it could not have been real, only feigned. The profligacy and tyranny of the prince and his courtiers had the effect of completely alienating the hearts of the lords and people of the country during the short period of his stay in it. The title of Henry was chiefly, if not altogether, from the donation of the Pope, which in itself was ostensibly for the purpose of making Ireland more Catholic; but it was well known that in the seventh, eighth, and ninth centuries, the clergy and missionaries of Ireland had propagated the light of the Christian faith over every part of Europe with such efficacy as to earn for their country the noble title, *Insula sanctorum et doctorum.* The falsity of the English titles was too apparent to dwell upon; and he would show that the title of conquest was no better, because it was an historical fact, that from the period of the English invasion to the days of the ruthless Cromwell, and the rebel King William, the English had been obliged to surrender every foot of ground which they had gained through their numerical superiority the moment they withdrew their forces from Ireland. The next title after that derived from John was the submission of all Ireland, as it was termed, to Richard II., A.D. 1395, one curious condition of which, as alleged by Sir John Davis, an historian of no credit, was the entire surrender of all the land in the country to the king. But, happily for the interests of truth, there was a French soldier with the English court—Sir John Froissart—and he told a different story, for he said that not only was there no submission of the lords, and therefore no surrender of the land, but that, on the contrary, the Irish completely harassed the invaders out of their country. In 1399 there was another invasion of Ireland by Richard II.; but he did not go further than Dublin, where he spent a month in every kind of debauchery, and whence he returned to England in all haste on learning that the Duke of Lancaster had landed, and was advancing towards London. The next title to Ireland was the conquest of Henry VIII., up to which it would be borne in mind the religion of both countries was the same, and therefore no revolt or opposition to England could have arisen out of the difference of creed. James I. created forty boroughs to swamp the representation of Ireland; and in his time Poyning's Act was passed, by which the legislative functions of the Irish Parliament were transferred to England. Up to the period of the Union he would show that, in point of fact, Ireland had no legislature; and that, consequently, no act of that body could unite the countries. Cromwell, after the murder of his king, sacked Ireland, and plundered the people of their property, dividing it among his followers. Previous to his time Ireland had been confiscated only by piecemeal, the king, James I., asking only for six counties now, and six counties then, to satisfy the lust of gain, and the ambition of his courtiers. Then there came the glorious Revolution of 1688, so called, in which James II., through his own folly and cowardice, surrendered his claim to the sovereignty of the country. From 1688 to 1768, however, there was not a single step taken to con-

quer the country; but in 1763, when Lord Townsend was sent over to Ireland a new attempt was made to effect it—viz., by corruption. It was ascertained that the distribution of patronage among the gentry who composed the Irish Parliament was a surer mode of conquest than the force of arms; and accordingly the House of Commons was immediately corrupted by the representative of the royal power in that country. At the period of Lord Townsend's arrival in Ireland, a seat in the Irish Parliament, which was then for life, was worth only 500*l.*; but that nobleman having obtained an Octennial Bill, it rose at once to 800*l.* In 1776 the revolt of the American colonies of England took place. Up to that period the people of Ireland were, in the words of a great writer, "brayed in a mortar," and reduced to the lowest depths of misery and degradation by plague, pestilence, and famine. In fact, there was nothing in the country then but coercion and distress. With the revolt of the colonies came the difficulty of the English Ministers; but still it was not the Irish Catholics that took advantage of them. That advantage was taken by the Irish Protestants—chiefly the landholders. Poyning's Act was procured to be repealed, and Ireland was declared independent of England in her legislative capacity. Then, as if by magic, arose that armed force, known as the Volunteers, under the command of Lord Charlemont: and then, also, as if by magic, the price of a seat in the Irish Parliament rose from 800*l.* to 2,500*l.*—for it was clear that nothing but corruption could effect the subjugation of Ireland. The most desolating days of Ireland were those of Lord Charlemont and the Volunteers, because the great body of the people were made instruments to subserve the interests and advancement of the few. The mass of the Volunteers—who were Catholics—were commanded by Protestant officers, who did only what they considered would be beneficial to themselves—among which was to increase the price of boroughs; and it was upon record that Lord Charlemont himself had distinctly declared that he would be no party to any alteration in the existing laws, except they were made on the broad basis of Protestant ascendancy. Was it wonderful, then, that when the French Revolution broke out—shaking society to its very centre—the Irish Catholics should look to the Catholics of France for example and for redress? Again the English Minister was frightened; for he had to send all his available force to France; but he had no cause to be frightened, for when the Volunteer gentry attempted a second time to take advantage of the Irish people to obtain further concessions for themselves, the Catholic population refused to stir unless under the guarantee of Parliamentary reform. The Whigs promised all, but performed nothing; for Charles James Fox had, when he got into power, defined Parliamentary reform as the exclusion of Government Commissioners from seats in the House of Commons. Dumourier, the French general, however, sold the liberty of the world; and for the period Parliamentary reform was at an end. The only advantage which the Catholics obtained was in 1776, when they were permitted to purchase land—the land of their fathers, if they had the money to pay for it, and to hold it under certain restrictions. In 1798, the Irish Rebellion broke out. The history of that event remained to be written. Ireland had given this country some of her most celebrated warriors, statesmen, and poets; but she gave her no historian as yet, because her literature had been destroyed with her liberties. After that followed the Union. How was that measure carried? In 1797, Lord Moira said, in the House of Lords, that it would be better to submit to the claims of the Irish people, and suffer them to continue to legislate for themselves. The value of the Union was co-ordinate with the names by which it had been effected. He would not enter into statistical details on the subject, nor attempt to show the House what was known to all who gave the history of the period the slightest attention, how Ireland had increased in prosperity under an independent legislature—how her imports and exports had increased. What he should show was the corruption by which the Union was effected, and the fraud that was practised upon that country. In 1780, Ireland did not owe a fraction, notwithstanding the ages of privation she had previously endured. In 1800, when the Union was effected, she owed 14,000,000*l.* That was what she got from Lord Charlemont's Volunteers. He (Mr. O'Connell) could quote the opinions of Lords Plunkett, and Grey, the Irish Attorney General, Saurin, and the Irish Chief Justice, Bushe, as well as other high authorities on the subject, to prove the corrupt means employed to effect the Union, and also to show that the results which had ensued from it were pre-

dicted at the period as a consequence of that misgovernment which might have been easily anticipated. When the Union was carried, Ireland was not in the position of a fair contracting party; for there was no parity between the burdens borne by her and those borne by the country with which she was united. Ireland was then in a state of *duresse*, and every article of the treaty had been violated within sixteen years from its occurrence. The exchequers of the two countries, for instance, had been consolidated; and, instead of two-sixteenths of the interest upon the united debt, she was called upon to pay as much as could be extracted from her resources. He would now come to the material point at issue at that period. What was the *casus belli*—the irritating question between the Irish people and the Irish Parliament? It was Catholic Emancipation. Was it not Catholic Emancipation? The written and implied contract at the time of the Union, was Catholic Emancipation. But Ireland never had a Parliament. The Irish Parliament was, in fact, nothing more than a registration court for English Acts of Parliament. From 1780 till the Union, England, by using corruption, by giving places and pensions, enabled the Irish Parliament to ride roughshod over the Irish people. He had shown that Ireland never had a Parliament. The Irish Parliament was corrupt; it was governed through the means of its boroughs, and the owners of those boroughs were bribed by the English Government with places and patronage. Instead of reforming the Irish Parliament, England destroyed it; and the reason was, as he would prove, because the repeal of Poyning's Act had made them independent of England. What did Lord Castlereagh do? He pledged himself to give emancipation. But he violated the Union, and he violated the articles of the Union. The people petitioned against the Union. He would not refer to those who had sold their country for lucre —Plunkett, Saurin, and others. He looked on such men with disdain. They had at first protested against the Union as iniquitous and self-destructive to Ireland, and yet they afterwards were mean enough to accept money and pensions from the enemy. The only thing that the House could do, or ought to do, was to grant a Committee to inquire into the way in which the dissolution of the Irish Parliament was accomplished. If Government refused this, it would go forth to the Irish people that the Irish Members who wished for this Committee had made such a strong case that Government could not answer it. If the Motion for a Committee, were resisted, then Government would stand condemned in Ireland. It was not one and a half million only which were given to bribe the Irish Parliament. It was because England looked with an eye of apprehension on the part Ireland would take in the event of a war that this sum was sacrificed. What were the bribes offered to Irishmen? The price was 15,000*l.* for a borough or a peerage. All who had political influence were bribed. If a commoner, he was made a peer; if a peer, he received increased patronage and 15,000*l.* But how did the English Government keep faith with Ireland in respect to the representation at the time of the Union? Instead of giving Ireland 260 Members, or 170, or even 165, the lowest number to which it was shown by comparison of population she was entitled, you only gave her 100 Members. There were 500 Members for England, with nine millions of people; and only 100 for Ireland with six millions. Was this a fair representation, or could the Irish people be otherwise than dissatisfied with the arrangement? Besides that, the parties sent to the House of Commons were only those who would be sure to prove themselves the minions and tools of the English Government. The first act of these Members was to pass a law in favour of absentee landlords and against the Catholics, and thus to lay the foundation of that system which, after so many years had elapsed, you now asked for Coercion Bills to put down. You asked for Coercion Bills to protect the property of Irish Peers from depredation. The Irish Peers were men who had not a single quality to recommend them, except their hostility to Ireland. In 1735 the Irish Protestant Parliament passed the Tithe Agistment Act, by which the Protestant owner of 4,000 acres paid not a penny in tithes; while the poor Catholic widow, who scraped the manure from the roads, which she applied to the potato patch that furnished her with food, was compelled to pay tithe under this Act. When the Act was repealed in 1823, the landlords immediately waged a destructive war against tithes. As soon as they were touched by the repeal of the law, they were the first to take up the cry for the abolition of tithes. They shot or transported all who attempted to shift the burden on their shoulders. He spoke with

a due sense of his responsibility. He had been tried in 1832 for resisting the payment of tithes; but he was not an artful, designing demagogue; he did not expect to gain anything by the course he had taken; and he might go farther and say, that in the whole course of his existence he had never travelled a mile or eaten a meal at the expense of any man, though he had conducted more contested elections than any one, without even accepting a fee for his services as a barrister. He was not one who went about the country attempting to create bitter feelings. He was not one who lived only on discord. That was the qualification by which he sought to establish his right to speak in that House. He would now come to another question which had been made a great handle of in that House—he referred to the proposal of increased emigration for Ireland. He contended, if one thing was more disgraceful to a nation or a Government than another, it was the attempt to seduce men to leave the land of their birth to go to a foreign country. And when we saw toiling Irishmen here, taking the lion's share of labour, carrying their hods at your docks and public buildings, while their own country was a barren wilderness, to what could it be attributed but to the want of proper government, and to the neglect of Government in not developing the resources of the country? He laid it down as an axiom, that no danger could result from social improvement—for from social improvement proper government would naturally spring. If social improvement was attained, improvement in the representation would follow; and Government then would find a difficulty in buying off men, as they now bought off political agitators, who merely agitated for their own sordid purposes. He was for extending liberty—not that liberty which degenerated into licentiousness. It seemed, however, to be the rule that those who took the lion's share of glory were also to have the lion's share of punishment. He had been in prison oftener than any hon. Member in that House; and he attributed the respect for the ordinary law which the people showed to that circumstance. No poor man of his party had ever gone before a jury without being provided with the best counsel, paid for with money out of his own pocket. Many hon. Members in that House, barristers, had been employed and paid by him to defend poor men; and he could call on them to confirm what he asserted, that he had never shrunk from his share of responsibility. He would now come to the material question of free trade. He was happy to see the leader of free trade and the learned Doctor present. He held the Doctor in the highest respect; and as to the leader, he believed there did not exist a more able, honourable, or upright man than the hon. Member for the West Riding of Yorkshire. He had met the hon. Member but once, and then he saw beneficence in his face. He flattered himself he was a bit of a physiognomist; he looked at the hon. Member, and he saw humanity, generosity, and beneficence in his countenance. There was one question connected with free trade which free-traders seemed to blink. He alluded to the necessity, owing to the Union, which existed for Irish labourers to come over to this country and to compete with the English labourers for work. This naturally caused the poor-rates to augment, and also took 30,000,000*l.* away from the labourer of this country by the competitive labour of the Irish. Would it not be better to have these 30,000,000*l.* secured to the English labourer, with a reduction of the poor-rates? This would be effected by a repeal of the Union, which would allow the Irish labourers to return to their own country. This was a vital question, far more so than any question of Exchequer-bills or Bank charters. Labour was the source of wealth. It was folly to attempt to pass Coercion Bills. All legislative labour would be lost until that system was adopted which secured to the labourer the fruits of his toil. The English people were looking into the question. The influx of Irish paupers caused them to reflect. They wanted to know why this influx of Irish paupers should continue, when these paupers were required at home to cultivate the lands. Honour to the Saxon! though, after the manner in which his country had been attacked by the press here, he might be supposed to entertain no very friendly feeling; yet he said, honour to the Saxon! He had lived among them a long time, and could bear testimony to their amiability and straightforwardness. He would now come to the question of a separate Parliament. Irish Members when they came here had no power; they were too few in number. He laid it down as a truth, that, from 1793 to the present time, all estates in Ireland had been cultivated according to the science of politics, and not according to the science

of agriculture. If Ireland had been properly governed, we should not see, after nearly half a century, that one year she came to England for alms, and the next for a Coercion Bill. He had shown that when Ireland was free, no country in the world had ever improved with such rapidity. He had already stated that there never had been a Catholic revolution. The oath of the United Irishmen was to this effect, that all parties and all religions were to combine to effect Parliamentary reform. In the conspiracy of 1798, there were only four Catholics implicated; they were otherwise all Protestants. There was no such thing as a religious outbreak known in Irish history. He would read the names of the list of conspirators of 1798. At the head of this list were the names of his father and his uncle, Lord Castlereagh, Grattan, and others. There was another circumstance which the House, he thought, would see was an enormity—namely, that the whole of the staff in Ireland, not only up to the time of the passing of the Act of Union, but up to the present time, were all Protestants; whether sheriffs or lords-lieutenant, the magistracy were for the most part Protestant. In the barony of East Muskerry, in the county of Cork, there was not a single Roman Catholic magistrate. One of the circumstances which had tended to widen the breach between England and Ireland, was the exchange of the militias. Yes, England had sent a licensed band of plunderers into Ireland, and Ireland had exchanged an Orange force for them. These were facts which irritated the public mind. He contended that it was mere folly to denounce the Roman Catholic priests in Ireland as fomenters of the evils which distracted Ireland. These men were members of some of the first families in the country, who kept in their possession the title-deeds of estates which had been wrested from their families; these were the men who were called upon to visit their flocks, often on the property which had been their own family's. There was not a mountain pass which the priests did not know—there was not a hovel they did not visit. And these were the men who had their armorial bearings over the mantelshelf, and the title-deeds of their family estates still in their possession. If at the battle of Waterloo, instead of Wellington conquering, Napoleon Bonaparte had conquered, and Napoleon had partitioned out this land among his followers, and had brought with him Roman Catholic priests to whom the Bedfords should pay tribute—he would ask the noble Lord whether he would not, under such circumstances, gladly have availed himself of any opportunity of ridding themselves of an alien priesthood, and to recover their lands, to the possession of which there was no statute of limitation. He would ask the right hon. Gentleman the Member for Dungarvon (Mr. Sheil), whether he, as a member of a persecuted faith, derived any honour from being associated with those who had degraded his country? He would recall the recollection of those honoured men who were hunted into caves, and whose only security lay under the protection of bayonets. But he (Mr. O'Connor) would still hope that the right hon. Gentleman, who was such an ornament to his country, would yet cause gladness throughout Ireland by his abandoning the position which he now occupied, and confessing the error of his present ways. With reference to the Union, Ireland, as a nation, had no voice in it. The country was coerced by the presence of 150,000 military. In the consideration of the subject of his Motion, he would beg to call the attention of the House to the present state of Europe. Let them look to Spain and to Portugal. The present state of Switzerland might be regarded as that of a great boiler in the centre of Europe. Let the House reflect on the sympathy which was evinced by America for the wrongs of Ireland. As soon as America should be free to act, he said in the face of that House and of the country that if ever Ireland should require support, America would come to the relief of her flesh and blood, and that America would rescue Ireland. He believed that by something like reciprocity, with a Parliament sitting in England, and a Parliament sitting in and for Ireland—if agriculture in the latter kingdom were successfully carried out—the Irish would be better customers in the markets for manufactures; and that, instead of looking all over the world for food, we should have a colony at our own door. As he was aware that there were many hon. Gentlemen who would take part in this debate, he would merely observe that he had laid before the House, in the course of his address, the history of his country, divided into four periods—from 964, the date of the charter of Edgar, to 1542, that of Henry's invasion; from 1542 to 1776, the epoch of the revolt of the British American colonies;

from 1776 to 1800, the period of the Union; and from 1800 to the present time. He had shown that there had not been a single war of Catholic insurgents—that every war had been waged by Protestant gentlemen making tools of the Catholic people. He had shown that in the year 1780, Ireland did not owe a halfpenny; whereas in a comparatively short period subsequently, she was frightfully involved. He had shown that every article of the Union had been violated, and that Government was carried on upon a corrupt system, resting upon an abuse of patronage. He asked now to have a Committee granted to inquire into these things. He thought he was entitled to the gratitude of those Gentlemen who entered that House pledged to repeal, for giving them an opportunity of redeeming their pledge. For himself, he would never hold a seat if he did not keep every pledge; nor would he give a pledge if it were not in conformity with his feelings and opinions. He knew that he was looked upon as a destructive and revolutionist; but he would assert that he was doing more than any other man to create an improved social state. He had been called an infidel and an anarchist; but he stood there for the altar, the throne, and the cottage. But he wished to see the altar the footstool of God, and not the couch of man; he wished to see the throne based on the affections of the people, instead of the lust of the aristocracy; and for the cottage, he wished to make it the castle of the freeman, instead of the den of the slave. The hon. and learned Member concluded by again reading his Motion.

Sir G. GREY was sorry that the hon. Gentleman (Mr. O'Connor) had felt he had a right to complain of the appeal which he had made to him in the beginning of the evening to postpone his Motion; for that appeal had reference simply to the public interest, and to the advancement of business which was felt to be of public importance. He did not know what the feelings might be of those hon. Gentlemen who came from the sister country, to whom the hon. Member for Nottingham had appealed, to show their gratitude for the opportunity which he had given them of redeeming their pledge; but he could not help thinking that the hon. Member himself must now be convinced that he would have exercised a wise discretion if he had abstained from pressing this Motion. It appeared to him that the conclusion of the hon. Member's speech was the most discreet part of it; for if he had not distinctly read the terms of the Motion with which he was about to terminate his address to the House, there were very few Members in it, he would venture to say, who could have conjectured what the Motion of the hon. Member would be. The hon. Member began with the reign of Edgar, and went through the history of Ireland from that period with great rapidity. The hon. Gentleman had certainly improved the leisure which he had enjoyed since he last made his appearance in that House, and had acquired a large stock of antiquarian lore and historical information, with which the House had not before been favoured. If the hon. Member possessed this knowledge formerly, the hon. Member had not previously displayed to Parliament his stores of knowledge. He was reminded, however, that he was mistaken in this respect. He believed the House was favoured by the hon. Gentleman with information of a similar kind on a former occasion, including the autobiographical notice with a portion of which the House had been indulged that evening; and, on the occasion in question, the hon. Gentleman had commenced from an early period, demonstrating his descent from the ancient kings of Ireland. But he must really ask the hon. Gentleman whether he intended that the Committee for which he had moved should take that wide and discursive range of subjects which the hon. Member's own speech had occupied? At what period of the history of Ireland were their inquiries to commence? The hon. Member had touched, with a very light and rapid hand, upon the various evils which had afflicted Ireland; but he had utterly failed in demonstrating that a repeal of the Union would cure those evils, or that those evils which he had shown had existed in Ireland from an early period could be fairly ascribed to the Union. When he recollected the manner in which this question had been discussed on a former occasion, and the able writings which had issued from the press upon the subject, he was not prepared to say that the question was not one which Parliament should entertain; but he felt it impossible to treat it seriously when brought forward as it had been that evening. If the hon. Gentleman thought that the subject of the repeal of the Union was of such great and pressing importance, why did he not directly and manfully take the opinion of the House on that question; and why

not move that the House resolve itself into a Committee of the whole House to discuss it? He really thought that this was a much fairer mode of dealing with the subject than moving for a Select Committee to make inquiries which would occupy, not merely the present Session, but all the Sessions during which the present Parliament could last. [Mr. O'Connor: No!] If the Committee did not go back to a more remote period, they must at least go back to circumstances which occurred nearly half a century ago. He asked the hon. Gentleman whether these events were not well known; whether they were not matter of history; and whether any necessary information on the subject was wanted? The hon. Gentleman seemed to think that patronage had been largely exercised to bring about the Union, and that since the Union, also, the patronage of the Government had been improperly bestowed, because some Irishmen, who were subjects of the United Kingdom, received their fair share of public employments. Did the hon. Member believe that if the Irish Parliament were established to-morrow, there would be an absence of all patronage exercised by the Government; or that Members of Parliament would be so patriotic as to refuse patronage when offered to them; or that constituents would instantly cease to prefer those requests which were commonly made by constituents to Members of Parliament, and even occasionally by the constituents of Irish Members? He would ask the hon. Member what evil would, in his opinion, be remedied by a repeal of the Union? He did not now deal with the question whether any evils had been really occasioned by the Act of Union or not; he was only dealing with the speech of the hon. Gentleman. The hon. Gentleman had said that the Irish labourers interfered with the rate of wages received by the English labourer; but did the hon. Member mean to accompany his Motion for a repeal of the Union by a measure prohibiting Irish labourers from entering England; or did he mean to say that an Irish Parliament would pass laws which would prohibit their emigration from their own country? There was, no doubt, some pressure upon the industry of this country from competition with Irish labourers; but those labourers benefited themselves by coming here, and frequently proved, by their industry, a valuable class of men. He thought that, instead of aiming at complete severance, we should endeavour, by fair and considerate legislation, to consolidate and bind together the two countries. He regretted the tone which the hon. Member had adopted in regard to religious differences. He was sure that the spirit of successive Governments had been of late years to avoid the sectarian bigotry which marked the Administrations of former times. The hon. Gentleman had endeavoured to make this a question between Protestant and Catholic; but he (Sir G. Grey) hoped that these differences between Protestant and Catholic were losing much of their bitterness. He thought that the Committee could lead to no beneficial result, and might induce the delusive notion that the House was prepared to entertain the question of the propriety of repealing the Union. He really hoped, therefore, that this Motion might be disposed of without that long debate which the hon. Gentleman seemed to anticipate.

Mr. O'CONNOR, in explanation, begged to say that he was quite ready to propose a distinct Motion for the repeal of the Union, and expressed a hope that the right hon. Gentleman would second it.

Mr. H. GRATTAN said, that the hon. Member for Nottingham had thought proper to say that he (Mr. Grattan) knew nothing of history. In return, he might be allowed to say that the hon. Member himself knew nothing of it. When the hon. Member said, that Mr. Grattan was a rebel, he said what was not the fact. The hon. Member for Nottingham had called Mr. Grattan a rebel, and that statement was false. The statement in the paper read by the hon. Member was a falsehood. He knew Mr. Grattan better than the hon. Member could know him; and Mr. Grattan never was an United Irishman. The hon. Member had done more; he had not only libelled Mr. Grattan, but he had libelled Lord Charlemont; and he (Mr. H. Grattan) would not sit in any assembly where Lord Charlemont was libelled without answering his traducer. Lord Charlemont did not sell the Volunteers, neither did the Volunteers sell their country. The hon. Member had also libelled Mr. Ponsonby. It was not the fact that Mr. Ponsonby was in the list to which the hon. Member had referred. Neither Mr. Ponsonby nor Mr. Grattan ever belonged to the Society of United Irishmen, though they did belong to the Volunteers. [Mr. O'Connor made a gesture of assent.] The hon. Member admitted that he was right; then why had he not the civility and courtesy to ask him before-

hand whether it were correct that Mr. Grattan and Mr. Ponsonby were United Irishmen? He did not wish to quarrel with the hon. Gentleman; but he would fight him upon this ground to the last drop of his blood. He objected to this setting of party against party—this exciting of jealousy—this reviving of things that were obsolete, and this constant reference in the time of affliction and distress, when they ought to co-operate together, to old grievances. He appealed to the good heart of the hon. Gentleman, for although he wished that House to believe it was as black as it could be, it was not so black as he would make them believe it was. The hon. Gentleman on a memorable occasion in the county of Meath stood by him like a man of courage when he had a bayonet at his breast and a sabre over his head; and he would stand by the hon. Gentleman when he acted rightly, as firmly as he would oppose him when he was acting wrongly. He did not say that this was a claptrap Motion, but it might tend to frustrate the object the hon. Gentleman had in view. If the hon. Gentleman proposed a Motion for the consideration of the Act of Union, he would support him; but not when he came under a mask, libelling Lord Charlemont, the Volunteers, Mr. Grattan, and Mr. Ponsonby, and then thought he could sit down there unanswered. He charged the hon. Gentleman with four libels, and in calling upon that House, as the jury, to convict him, he pronounced the hon. Gentleman "guilty, upon his honour."

Mr. J. O'CONNELL said, the hon. Gentleman who brought forward the Motion had thought it necessary to make some species of apology to Irish Members sitting on the Ministerial side of the House; but he assured the hon. Member there was no necessity for any apology, for those Irish Members felt no jealousy at the hon. Gentleman's having brought forward this subject. The right hon. Baronet who followed the hon. Gentleman had asked what could be the utility of considering the subject now; but he thought there should not be an entire oblivion cast over the scenes of the year 1800, but that the reprobation of mankind should be attracted to the enormities committed by the Government of that day, in order to carry the measure of the legislative Union. Forty-seven years had passed since Ireland was deprived of her right of making laws for herself; and what had been the consequence? That she had been reduced to a state below which there was none deeper, except that of utter annihilation or total ruin. What was her condition before the Union? Lord Clare, who was one of the artificers of that Act, and who was one of the deadliest enemies to the independence of his native country, declared in the Irish House of Lords that in the history of the world no nation was ever before known to make in so small a space of time the same progress in arts, commerce, manufactures, and all that could upraise the condition of a nation, as Ireland, during the short period of eighteen years that she enjoyed the entire freedom of her own Parliament. Mr. Pitt and Mr. Huskisson had also said that up to 1780 the policy of England had always been to cripple Ireland, and deprive her of her natural resources; and Lord Castlereagh, one of the chief artificers of his country's ruin, in 1803 declared that Ireland had during the same eighteen years he had referred to made a progress that had astonished the world. The consequences of the Union to England had been not less disastrous than to Ireland. England might prosper in her own material wealth; but so long as, by her neglect, she left Ireland to decline in her condition, she would never derive any advantages from the trick by which the Parliament of the sister country had been annihilated. Every victory which had been won under the English flag was tarnished by her cruelty to Ireland; and whenever the Englishman was heard to boast of his constitution and his country, the foreigner, pointing across the Channel, would always find in Ireland a ready retort. There was an annual external drain of 6,000,000*l.* upon the resources of Ireland, as a consequence of her connexion with England, which made it a matter of utter impossibility that she could sustain the burdens at present imposed upon her, or advance in the same ratio as either of the other British isles. Recently her misfortunes had been aggravated by a visitation of Providence in the complete destruction of the potato crop. This deficit in her ordinary capital amounted at least to 16,000,000*l.*, and as the potato might be said to have represented the currency of Ireland, the evil so occasioned had been enormous. A short time ago the labourer had been paid with the potato; by the potato the farmer paid his rent; by means of the potato the farmer obtained clothing for his family; by the potato large classes were fed; and now the substitute was money. This being the case, the pre-

vailing distress in Ireland was easily to be accounted for; and it would be well if the House now considered if some cheap currency might not be substituted as a substitute for the deficiency created by the loss of the potato. With regard to the money part of this question, he thought he was bound to make out a case in order to justify the words he had used the previous evening. The terms of the Act of Union had expressly stipulated that Ireland should not be subjected to bear any of the burdens of the debts of England contracted before 1800—the incumbrances of the two nations being at the time very disproportionate; and the principle was recognised on all hands that the annexed country ought not to be saddled with any of the debts of the annexing country. The funded and unfounded debts of England were then 420,000,000*l.*, and those of Ireland about 28,000,000*l.* Ireland, it was agreed, should contribute two-seventeenths to the imperial expenditure; and even Lord Castlereagh admitted that this proportion was too large. The stipulation was to be maintained so long as there was an absence of certain contingencies; and, in the event of either of these, the erasure of the national debt or the improvement of the circumstances of Ireland, until there was complete equality in wealth between England and Ireland, taxation was to be made equal, and the imperial incumbrances were to be borne in the same proportion. Neither of these contingencies had arisen; on the contrary, the debt of Ireland, by legislative mismanagement and injustice, had increased out of all proportion. In 1800 it was 24,000,000*l.*, and in 1817 it was 120,000,000*l.*; the increase altogether being 59 per cent for England, and about 300 per cent for Ireland; and yet it was declared that a *casus* had been made out for a consolidation of the Exchequers, and that the time had come when taxation ought to be made equal. The consolidation of the Exchequers had been accomplished in direct violation of the terms of the Act of Union, and all the subsequent financial measures founded upon that consolidation were, in consequence, as completely illegal as they were grossly unjust. Ireland, it might be, had failed to contribute equally; but no good reason could be shown why she should have done so. England had failed to maintain, by separate taxation, the separate liabilities imposed on her by the Act of Union; and the result of the policy of Parliament had been to make Ireland bankrupt, thus crippling one country while they crushed the other. Whatever happened to increase the expenditure of England, operated in absorbing every available shilling from Ireland. He calculated that since the Union Ireland had paid 60,000,000*l.* more than her proper share, and, on that ground alone, he claimed for her the consideration of this country in a period of distress, not as a grant of charity, but an act of justice. As to separate taxation, England only paid 10,500,000*l.*, while her proper share, according to the interpretation of the Act of Union, was 15,000,000*l.*, and in that estimate he reckoned the income-tax, which was only laid on four or five years ago; so that the fact was, deducting the income-tax, England only paid about 5,000,000*l.* of separate taxation. It has been asserted that Ireland had had compensation for all this, in an indirect way, since the Union, being free from certain imposts, as the assessed taxes; but he contended that there was no force in that argument, as Great Britain had relieved herself in far greater proportion from those taxes than she had relieved Ireland. In the aggregate, Great Britain had relieved herself from 47,000,000*l.*, while she had relieved Ireland from only 2,000,000*l.* of the same taxation. All this time Ireland paid the expenses of her civil and military establishments; for, although defrayed out of the Consolidated Fund, it came out of that part of the fund which was produced by Irish money. The remittances from the British Exchequer to Ireland, since the Union up to January 1, 1845, had only been 7,500,000*l.*, while the total remitted from the Irish Exchequer to the British had been 26,700,000*l.*, being a balance of 19,200,000*l.* in favour of Ireland, or, adding to the remittances since 1845, a total excess of remittances from Ireland of 19,789,591*l.* Such were his general views of what England owed to Ireland in regard to money matters; and when the question came before the House in a fairer and more legitimate manner, he should be prepared to develop his argument at greater length. He had, in drawing to a conclusion, to notice the last part of the hon. Gentleman's Motion, viz. the effect of the Union upon the poorer classes in Ireland, a subject which, as the hon. Member had well stated, deserved the attention of the House. In consequence of the poverty of Ireland, and the superior wealth of this country, there was a constant immigration

of paupers into England. This was one of the evils which the Union had brought upon them. The poor-rates of this country were enormous, in consequence of this immigration—the people were impoverished by the number of paupers that came among them, and the existing distress in Ireland had greatly aggravated the evil. He would be content to be covered with shame and ridicule if his prediction was not realised—that the consequence of the Irish poor-law—in which many hon. Members gloried as providing a remedy for the pauperism of Ireland—would be that it would stimulate the immigration of paupers into this country. He maintained that the poor would find their way into this country as surely as water found its level. The effect of the poor-law would be to break down the classes upon whom the poor-rate fell, and add them to the general mass of paupers. He did not speak of the present distress; he spoke of what would be found to be the permanent effect of the poor-law, which they thought was to take Ireland off their shoulders. The right hon. Baronet (Sir G. Grey), in his brief answer to the speech of the hon. Member for Nottingham, had alluded to the repeal debate in 1834. Since that debate had been alluded to, he (Mr. O'Connell) would take the liberty of reminding the House of the promise then solemnly made by one of the largest majorities on record in rejecting a Motion which was supported by forty Members identified with the Irish people—a promise which obtained the sanction of the House of Lords, and the concurrence of the Sovereign then on the Throne, and which was, therefore, a pledge from the three estates of the realm, viz., that in expressing their resolution to maintain the legislative Union inviolate, they were determined to "persevere in applying their best attention to the removal of all just causes of complaint, and to the promotion of all well-considered measures of improvement." Had that promise been carried out? What grievances had been removed? Were not the people of Ireland at that moment crying out for relief, and could not obtain it? Did not the Government confess that the landlord and tenant question constituted a serious grievance, and did not that grievance still remain unredressed, the Government having put it off from time to time in consequence of the difficulties with which it was surrounded? Thirteen years had elapsed since the promise was made which he had just quoted, and their grievances were still unredressed. Nay, more, the promise had not merely been unfulfilled, it had been actually violated. They had Coercion Acts imposed upon them in place of obtaining a removal of grievances; they had had a scanty and crippled Municipal Reform Bill thrust upon them; their elective franchise unjustly limited, and which was declining every day, and yet no hand was raised to remedy it. There were a thousand other grievances which had never been touched. He did not mean to taunt the House with this; he merely wished to remind them at the beginning of a new Parliament, when they were starting under fairer auspices than usual, of the solemn pledge and covenant which had been made to Ireland—a pledge which had been ratified by the House of Peers and the Throne, and which, therefore, ought to be as binding as a legislative Act; and he conjured the House to consider the necessity of granting them at last a full, entire, and ample redress of those grievances which they were pledged to remove. For himself, he believed that the repeal of the Union would prove the only real benefit to his country. The great and wasting evil of Ireland was the draining of money out of her; and he saw no means of restoring this vital necessary except by the re-establishment of a domestic legislature. A tax on absenteeism, which some looked to as a remedy, was a forced and unnatural expedient—though he admitted that occasionally it might be necessary to have recourse to artificial remedies for artificial evils; but in this case he would give the means of inducing absentees to return home without any such interference. A native Parliament would bring them back again. It would be their interest to return and watch the progress of legislation and its effects upon life and property. A domestic legislature, therefore, would supply the landlords with a direct self-interest in remaining at home; it would stop the drain of money out of Ireland, and lead to its being spent in that country; it would revive trade and commerce; it would enable the people of Ireland to be better because richer customers to England, and in this way would benefit both countries—for he could not suppose such a solecism in the providence of God as the prosperity of the one country hurting that of the other; it would make the empire prosperous and happy at home, and strong and irresistible in its power abroad.

Mr. TRELAWNY was of opinion, notwithstanding all that had fallen from the

hon. Member who had just sat down, that Ireland was far too lightly taxed. He saw no reason why the income-tax should not be extended to Ireland, or why assessed taxes should not be imposed. He was sure he spoke the sense of the country when he declared that the burdens of Ireland, instead of being, as the hon. Member had alleged, too heavy, were far too light. He therefore hoped that the Government would not be induced by the constant howl of the Irish Members—by their continual dunning and boring for money—to yield to their unreasonable demands. With respect to the repeal of the Union, he believed that, if agreed to, the result would be that the people of the north of Ireland would not tolerate being domineered over by the people of the south; that a civil war would consequently ensue; and that after a time a military despotism would be established, and we should then be in greater peril than ever from such dangerous neighbours. He had thought that the Chartists of England and the Repealers of Ireland were at variance with each other; he knew they used to be; but it would appear that their feuds were at length healed up, and that they were now overbidding each other for popularity in the same cause. With respect to the Irish landlords, he thought their case exceedingly hard—seeing that if they remained on their estates they were liable to be shot, and that if they were absent it was proposed to make them liable to additional taxation. They were thus placed between two fires. The hon. Member had appealed to the English people to do more for the Irish, and had endeavoured to show that, as regarded the past, Ireland owed nothing to England. That was a good reason why John Bull should not give any more; for if Ireland disallowed the debt which was already owing, what chance was there of getting back that which was now asked? One could hardly help mixing up the Coercion Bill with this debate. He confessed he was one of those who strongly sympathised with the Irish people when the Arms Bill was passed. He was not then convinced that it was a fitting measure under the circumstances; but he now certainly regretted his conduct in voting against it on that occasion. He considered himself in some degree responsible for the outrages which had followed. But, even if he had not changed his opinion upon that point, the present measure was one of a totally different character, and to which the same strong objection could not apply. He was surprised, indeed, to see any opposition offered to a measure which every one must know to be absolutely necessary; and, if the opposition were continued, he thought the Government would be justified in carrying the provisions of the Bill at once into effect on their own responsibility, and then calling for an indemnity. Unless they did something of this kind, all those who had been marked out for assassination would be assassinated in the interval. He would not say that hon. Members delayed the passing of the Bill with that intention; but certainly such would be its effect. Some years ago one of the most unpopular votes a Member could give was in favour of a Coercion Bill; but this was no longer the case. The public felt that the Ministers would be unworthy of their position if they did not propose such a measure. He gave them great credit for the manner in which they had carried out the provisions of the Irish Poor Law. It was essential to the proper working of that law, however, that the landlords should be enabled to improve their estates; and this could only be done by a totally different mode of cultivation from that which generally prevailed. This rendered it necessary that there should be ejectments; because the farms were often in the hands of a great number of persons, and the small farmers were unable to use the proper machinery, and unless those small tenants were dispossessed, and ejectments effected by wholesale, it was utterly impossible that the land could be properly cultivated. This seemed a hard measure—he admitted it sounded harsh—but he was convinced that it was the only thing that could lead to the permanent good of the people themselves. The hon. Member (Mr. O'Connell) had last night attempted to show that the murders had not taken place without some palliating circumstances; but, unless the hon. Member had had a better defence to offer than he had yet produced, the hon. Member should have let the subject alone. What justification had he offered in regard to the case of Mr. Roe? The reason assigned for that murder was, that Mr. Roe had broken faith with a tenant. He had great respect for the Irish tenantry; but if every man who told a lie to them was to be shot, he could not help thinking it was rather hard treatment. He concluded by saying that the proposed Coercion Bill must be passed immediately; otherwise the murders would increase tenfold.

Mr. O'FLAHERTY said, the hon. Gentleman who had just down was altogether unacquainted with the state of Ireland. There was no Member in the House who was more anxious to suppress the atrocious crimes which had recently disfigured his unfortunate country than he was, nor one more ready to strengthen the hands of Her Majesty's Government, could it be shown that the ordinary laws of the country were carried out with impartiality and vigour. He should consider it his duty to vote against the Arms Bill in all its stages, because he knew that the ordinary law was not carried out with impartiality. He would mention two instances of this. One of them occurred at the Galway assizes, where a man was tried for seduction and murder. He was convicted, but some points were reserved, which were ably argued before the twelve Judges, who, however, confirmed the sentence. Yet, notwithstanding this, the man, if he was not pardoned, was allowed to die of fever in the jail. The other case was one of bigamy, which was tried at Dublin. Here, too, the man was convicted; but some points were raised, which the twelve Judges again overruled. He was sentenced to seven years' transportation; he was sent to the Penitentiary for a few months; and now he was enjoying the salubrious air of Southern Italy. It was all very well to talk of the poor-law, but as an active administrator of that law, he could tell them that the poor-law was a measure of confiscation, and though eventually it might prove beneficial, yet as a means to meet the necessities of the present times, the poor-law was the most preposterous scheme that ever was devised.

Mr. REYNOLDS said, that as a Member of that House who believed that the restoration to Ireland of a separate legislature would improve the condition of the people, both in a social and a moral sense, he had to express his regret that this subject had been introduced at this particular time. He had exerted all the influence which he possessed with the hon. Mover, with the view of inducing him to postpone the consideration of the question for at least one month; and his motives for giving that advice were to afford an opportunity to all those hon. Members who, like himself, were pledged to repeal, to attend there during the discussion of a question of such great national and, he might say, imperial importance. He regretted that he had been unable to prevail on the hon. Member, because he thought that the discussion of a question of such magnitude required more notice. Let him not be understood to express regret at the introduction of the subject on any other grounds. He trusted he should not be accused of being actuated by any feelings of jealousy; for let it be introduced by any hon. Member, however generally opposed to his own views, he should still have felt bound to support it. As the question had been brought before the House, he felt that he could not shrink from his duty in voting for the Committee, which he believed to be a most rational and reasonable course, inasmuch as a Committee must necessarily be appointed for the purpose of inquiry. As they had just appointed a Committee to inquire into the question of the currency, he trusted they would be induced to follow the example in the present instance. Before expressing his opinions on this subject, he must be permitted to advert to the speech of the hon. Member for Tavistock, which, he confessed, he had heard with considerable surprise. It occurred to him that the speech of the hon. Member had been prepared for the purpose of being delivered on the Coercion Bill; and that probably, as the hon. Member had not succeeded in finding an opportunity of delivering it then, he had thought he might dovetail it into the present discussion. It appeared to him a most unfortunate exhibition on the part of the hon. Member. He certainly was greatly surprised to hear the hon. Member apologise for having voted against coercion on a former occasion, and hoped the House would pause before granting him absolution. He thought Ireland not sufficiently taxed, but wisely abstained from giving reasons for his belief. Ireland, to be sure, was exempt from income-tax; but bearing in mind that the whole property of Ireland, as ascertained under the poor-law valuation, was only 13,187,000*l.*, and that an enormous amount of taxation was imposed exclusively on the land of Ireland, and that this enormous load was now increased by the imposition of a poor-law, he was at a loss to think how the hon. Member could justify his assertion. When he spoke of 13,187,000*l.*, he must be understood as differing altogether from the hon. Member for Galway with regard to the poor-law. He rejoiced at its imposition, and believed that if worked out properly, it was calculated to lay the foundation of substantial prosperity in Ireland. He believed the principle of the law to be sound, although its details might require considerable im-

provement. The land in Ireland was enormously mortgaged, and a very great part of the 13,000,000*l.* made its way into ths pockets of mortgagees and annuitants, by whom not one penny of the tax was paid. He knew of an estate worth 8,000*l.* a year charged with mortgages and annuities to the amount of 6,000*l.* per annum; and he asked, was it reasonable that the nominal owner and his tenants should pay the entire rate, and the annuitant and the mortgagee escape without paying anything? This was a matter which required alteration. But the hon. Member for Tavistock intimated that there was an alternative; that is, the tenant had an alternative. He presumed the hon. Member alluded to the safety-valve of the poor-law. Now, as he must be more minutely acquainted with the state of Ireland than the hon. Member could pretend to be, he begged to call his attention to the total inability of the property in some parts of Ireland to bear the burden. He begged to direct his attention to a Parliamentary paper, published by order of the Poor Law Commissioners within the last month. That paper contained an account of the number of men employed by the Government last year upon the public roads. It gave, on the 26th of March, the aggregate amount of labourers employed under the Labour-rate Act at 730,000; and let him remind the House of the fact, also, that that Labour-rate Act having ceased, the other Act, which empowered the Government to provide rations for the people in a state of destitution, on the expiration of the first Act came into operation; and let him remind the House, that on the 4th of July, the number of paupers in Ireland receiving rations was 2,606,000. How was it possible to maintain such a mass of poverty? [An Hon. MEMBER: How much is the poor-rate in the pound?] He was asked, how much in the pound the poor-rate was? A very proper question, and one which he was totally unable to answer. He would tell the House why. The poor-rate was not a uniform rate, but varied according to the pressure in particular districts. He knew, that in Dublin there was one rate on one side of the Liffey, and a different rate on the other; in some districts it amounted to 3*s.* in the pound, and in others to three times that sum. But he must call the attention of the House to the difficulty of carrying out the views of the hon. Member. Mayo contained a population of 400,000. In March last, the number of able-bodied persons employed on the public roads there exceeded 130,000, and when they ceased to be employed, and the Ration Act came into operation, the number of persons receiving rations per day was 300,000—75 per cent of the whole population. How was the poor-law to work there? When the House recollected this fact, that the entire rental of Mayo under the sworn valuation for the poor-law was in round numbers only 318,000*l.* per annum, they would see that it would scarcely afford more than 1*l.* per head per annum for the pauperism of the county. They had, moreover, the testimony both of the Protestant and Roman Catholic clergy of Mayo, that the entire rental of the county would not sustain its pauper population for three months. The poor-law provided that no man in Ireland should be entitled to out-door relief who held more than a quarter of a statute acre of land. He held in his hand a statement of the number of persons holding more than a quarter of an acre, who had received rations in different parts of Ireland. In the province of Leinster he found the number of able-bodied men 26,208, women 15,665, and the number of the families of these able-bodied persons, 87,324; in Munster, 50,204 men, 31,878 women, and their families, 152,412; in Cork, 86,497 men, 43,213 women, their families, 268,192; in Ulster, prosperous Ulster, 25,584 men, 14,404 women, their families, 67,055. All these were to be turned out, in order to carry out the ideas of the hon. Member for Tavistock. To secure that beauty of landscape, and form those splendidly-planted parks which he had so much at heart, these people were to be sent across the Atlantic in crazy vessels, huddled together without sufficient ventilation or medical aid—with less care bestowed on them than the British Government had taken for the blacks shipped from the coast of Africa to be sold on the coast of America. But what matter about them? The landlord and his legitimate, ay, and his illegitimate rights were to be supported. If this were a specimen of imperial legislation, the converts to repeal, he apprehended, would enormously increase. He trusted he had shown to the House that the course advised by the hon. Member was impracticable, and, if practicable, that it would be cruel in the extreme. If the poor-rate should amount to 10*s.* in the pound on the entire valuation of the island, he should have no objection, but would rather rejoice to see that blister put on the

backs of the cruel landlords; and he should also be glad that the people of England should not be called upon to support Irish pauperism. The Act he believed to be right in principle, and as long as he could raise his voice in that House or elsewhere, it should be raised in defence of that principle. He would not farther digress from the subject immediately under consideration. On the subject of the repeal of the Union he had very little to say. The question had been so thoroughly discussed there and elsewhere, that he knew the House would, like himself, regard it as a twice-told tale; the figures had been all properly worked out, and the whole question had been placed before the Imperial Parliament and before the country, by men possessing far more ability to place the subject in a clear light than he could pretend to. It appeared to him, therefore, quite unnecessary to discuss the question; for it was a pounds, shillings, and pence question, after all. He believed that the effect of the Union had been to impoverish Ireland without enriching England. The effect of the Union was, day by day, to lower Ireland in the scale of wealth and social comfort, without conferring any substantial benefit on England. Time was when, in Ireland, to ridicule the curl of a bishop's wig was considered disloyal, and to refuse the payment of tithes was something like high treason; but times were altered, and they could now do the one and the other with impunity. He believed he possessed as extensive an acquaintance as most people with his own country — he knew its position and condition intimately for the last thirty years—and he could assure the House that every class of the community, from the peer to the peasant, felt that they wanted something—felt that they were in want of some improvement. [*Laughter.*] He had no objection to hon. Members laughing; he liked a laugh, for there was something refreshing it; for they would be all in better temper, and more capable of discussing the question afterwards. In Ireland, even the Protestants began to fold their arms, and ask one another what they had derived from the Union? It had diminished the number of their bishops, abolished a portion of the tithes, by taking away twenty-five per cent; and the Parliament seemed even disposed to meddle with the balance. In the large towns, the old Protestant-ascendancy party were beginning to say that they had been attacked in their strongholds—that the corporations which the other party called the rotten corporations had been destroyed, and their influence annihilated to a certain extent. He rejoiced at this, because it showed that the repeal of the Union was no longer a sectarian question. The Protestants were now beginning to advocate it; and he did not know more uncompromising opponents of repeal than were some of the Roman Catholic Members who had been returned to that House. He believed that a strong feeling was growing up in Ireland that repeal should be no longer regarded as a sectarian question. The city of Dublin was to a man most anxious to have a repeal of the Union. His presence in that House was an evidence of that anxiety on the part of the people; and he had been sent there principally by men who believed that the most urgent necessity existed for the repeal of the Act of Union. They felt that in that House the question had never yet received a fair consideration. They believed that it was likely to receive a favourable consideration then; and although he had heard, before he had entered that House, that a strong party feeling existed, he had experienced none of it. He had heard that there were two sides to the House, and he now found there was only one. Certainly, when the object was to introduce a measure of coercion for Ireland, there was only one side; for all parties appeared to be unanimous in its favour. It appeared to him that it was time the question should be fairly and dispassionately considered. He believed, in his conscience, that the strength and stability of the empire were involved in the repeal of the Act of Union; for every day was adding to the discontent and dissatisfaction of the people of Ireland. He did not think that their opinions ought to be lightly thrown overboard; for they formed one-third of the empire in population and geographical extent. He did not think the British House of Commons had sufficient local knowledge of the wants of the people of Ireland to carry out legislation as it ought to be carried out for that country; at the same time, he believed in his conscience that the majority of that House, whether they were Whigs or Tories, were desirous of doing the best they could for Ireland—they were anxious to ameliorate the condition of the people—but, unfortunately, they did not know how. It happened unfortunately for Ireland, that she had been quacked. She was like a man who, having a slight cold, instead of ap-

plying to a regularly qualified physician, had recourse to a quack, and after dismissing one quack, called in another; and Ireland, subjected to this Whig and Tory quackery, was now like a patient in a state of absolute prostration. He would remind the House that in 1800 they had found Ireland happy and prosperous; while every year since, she had been deteriorating, and now, in the year 1847, she was little better than a great mendicity institution. With a population of 8,000,000, she exhibited an amount of pauperism of at least 4,000,000. He really wondered the legislators of that country were not ashamed of such a result. He did not blame the people of England altogether; the fault was not exclusively theirs, for the Irish people were themselves in fault. At all events, pauperism existed in Ireland to an enormous extent; and not only did Ireland suffer, but England suffered also. So extensive was their pauperism, that it visited every nation of the earth. Let them read the accounts from America—let them read the accounts from Canada—and they would find that the unfortunate emigrants who went out to those colonies from Ireland carried pestilence and famine across the Atlantic. An enormous loss of life had taken place not only among those unfortunate people, but also among the people of America. He would ask, was this appalling system to continue any longer? Had they no cure for such a state of things but a Coercion Bill? Since the fatal day when the Act of Union was carried, they had had twenty or thirty Coercion Bills; and now, in 1847, the only remedy they could devise was a repetition of coercion. No man could abhor more than he did the crimes that were perpetrated in Ireland; and he was particularly disgusted with the atrocious perpetrators of those crimes just now, because they had taken the very particular time when the people of Ireland required aid from the people of England, and their conduct had steeled many an English heart against any further consideration of Irish grievances. He trusted, as some difference of opinion existed upon the subject, that the reasonable proposition of the hon. and learned Member for Nottingham would be acceded to. If it was founded upon justice and truth, it would prevail; but if it was founded upon falsehood and deception, the sooner the question was set at rest the better. Whatever the fate of the present Motion might be, he trusted that some hon. Member would take the sense of the House, and ask leave to introduce a Bill to dissolve the Act of Union.

Dr. BOWRING had intended to address the House on this subject, not because he thought it a very pressing or important question, but because it was likely to become so from the state of feeling prevalent in the country. He could gather, however, from various indications on the part of the House, that they were anxious to proceed to more practical measures; and he would therefore not trespass further upon their attention.

Mr. E. B. ROCHE would not have addressed the House, but that he found it impossible, representing so large and important a constituency as he did, to give a silent vote upon such a question. He would not have suffered himself to be tempted by the hon. Member for Tavistock, who had taken occasion to deliver a coercion speech; but he could not help congratulating that hon. Gentleman on his having got rid of so much ponderous matter. He (Mr. Roche) did not mean to weary the House with a history of Ireland; but upon one point he should say historically, that they had always hitherto misgoverned that country, because they, being Englishmen and foreigners, did not know how to legislate for it. And the particular fact which he should direct himself to prove was, that all attempts upon the part of England to legislate for Ireland had tended to misgovernment. Their legislation had rendered life and property insecure, and had reduced the country to such a condition as was presented by no other in Europe. They had produced discontent on the part of the people during a course of forty-seven years' mismanagement; and they were then listening unwillingly to him because they were anxious to pass a Coercion Bill for Ireland. He could not wonder the people of Ireland had no confidence in them, because he saw no wish or desire on the part of the English Government to legislate in accordance with the wishes of the Irish people. The Established Church in Ireland had been admitted on both sides to be a great grievance; yet for forty-seven years they had not applied themselves to redress it. It was a point on which his constituents felt very deeply, and was one of those practical grievances, the infliction of which the people of Ireland attributed to the mislegislation of this country. They had often also admitted that, with regard to the franchise, the people of Ireland had reason to complain, and that upon this point redress was

required. Yet they had never given it, and therefore the Irish people said, that as they refused to give them redress, they were at all events bound to afford them an opportunity of redressing themselves. He did not join the hon. Member for Limerick in condemning the Member for Nottingham (Mr. F. O'Connor) for introducing this Motion. [Mr. John O'Connell: I did not condemn him.] At all events, he, for one, felt obliged to the hon. Member for introducing the Motion. He thought the question involved the interests of England as much as it did those of Ireland. It was impossible to carry on the business of England when they had the Irish question continually pressed upon them; and it was impossible for Irish Members to sit quietly by during the discussion of English business, when they were aware of the immediate wants of their own constituents. He said it was impossible for them to do so without feeling the desire of bringing those wants and grievances before the House; the consequence was an Irish debate, and the result was that the business of England was not done as it ought to be. The Member for Middlesex would be interfered with when he wanted to bring on one of those Motions peculiarly his own; and the House was sickened, unwillingly so by hon. Gentlemen, but nevertheless they would continue to be sickened with statements of grievances until they resolved to give Ireland legislative power over her own resources. It therefore devolved upon the people of England as much as it did upon the people of Ireland to unite in repealing the Act of Union between the countries. He was convinced that they would never be able to depend upon the faith and loyalty of the people of Ireland unless they gave her back her own Parliament. They were now in a state of peace—if not exactly in a state of prosperity, they were in a very flourishing condition; but the time might come when they would want their right arm; the time might come when they would want the people of Ireland; and he would tell them that if the people were neglected, if their grievances were left unredressed, when that time arrived they would not have the people of Ireland. The people would say, "We asked you for redress, but you refused it. We asked you for the alternative, namely, permission to redress ourselves; you also refused that. So now you may fight your own battles." Instead of finding Ireland a friend, they would find her an open and declared enemy. Under these circumstances, he considered the real way to serve England was to consent to allow Ireland free and uncontrolled power over her own resources.

Major Blackall said, that although disposed to advocate such a measure as was now proposed, he must in justice to himself explain the reasons for the vote he intended to give. He should not disagree with the Motion itself if it had come before the House free from suspicion, and had emanated from a source in which he had confidence. When, however, he found it brought forward by an Irishman not representing an Irish constituency, without any communication whatever with the Irish Members, he must examine more closely the reasons that must have influenced him in the course he had taken. He must first, then, consider that the hon. Member had not been for many years a resident in Ireland, and that upon his patriotism he could have no confidence. During the hon. Member's residence in England, he thought that there was not much in his general conduct to add lustre to the Irish name. Even in the absence of those reasons, he should be disposed to vote against this Motion, in consequence of the refusal of some of the Irish Members to accede to that reasonable and moderate request of the right hon. Gentleman the Secretary of State for the Home Department. In reply to that right hon. Gentleman, as to the manner in which the Irish Members would vote on the present occasion, he would tell him that he might judge them by their conduct on this occasion, which would show whether they had confidence in the measures to be brought forward by Her Majesty's Ministers, or by the hon. Member for Nottingham. He would ask hon. Members opposite whether they really thought that they were pursuing a course that was really beneficial to Ireland? The hon. Gentleman who spoke last said, that the Irish representatives would throw obstructions in the way of English business, by which England would be the great sufferer. He (Major Blackall) would say, that the obstruction that was now given to measures for Ireland, would be a much greater source of misery to that unfortunate country than to England. He had heard much said as to the benefits that were likely to arise from the introduction of a Landlord and Tenant Bill. He did not entertain any sanguine hopes that such a Bill would remedy all the evils of Ireland. He should, how-

ever, be disposed to support any measure that would be likely to remedy the evils under which this country suffered. He hoped that the Bill introduced by Government would be pressed forward in the most prompt manner possible. He would give every support possible to that measure. That there was a necessity for coercion in Ireland he thought that the hardiest of the Government opponents would not deny. The opposition that was offered to the measures of the Government was founded upon the mode merely in which it was brought forward. Could any man tell him that the common law was sufficient to put down this state of things, which was bringing their country into a most desperate condition of degradation and crime? He must advert with sorrow to the tone of the debate last night. Allusions had been made to the harsh tone of English Members in this House. He must confess, when he heard the observations of one of those hon. Members for Ireland last night, he thought he was listening to one of those English speeches which they reprobated, rather than to an Irish Member. In the observations that had been recently made in this House, great blame was thrown upon the landlords and the magistrates in Ireland. He must say, he thought that the conduct of the landlords during the last year had been such as to save them from the reprobation of Irish Members at all events. He must remind the House that during the past year they were exposed to the greatest trials and misfortunes. The law for the relief of Irish distress could not be carried out without the assistance of the Irish landlords. They had not only given up their rights, but the little money that they had received in the course of the year was dispensed by them in charity, without which the people would have perished in much greater numbers than had already died. He would ask hon. Members opposite, whether the obstruction they were at present giving to the Government was calculated to benefit Ireland, when they recollected the measures that Her Majesty's Ministers had pledged themselves to introduce for the good of the country? He trusted that the Government would press forward the Bill they had introduced, without which there would be no cessation of crime in that country. He considered that they were pledged to introduce a measure for the settlement of the landlord and tenant question. They were, however, quite right to take the course they were now doing of enforcing the law. The Coercion Bill would be found very light in the hands of the Lord Lieutenant of Ireland, whose judgment and discretion might be surely depended upon while directing the operations of this measure for the preservation of the lives of Her Majesty's subjects in Ireland.

MR. MAURICE O'CONNELL observed, that the only measure which Her Majesty's Government had proposed was a measure of coercion. He preferred the Motion of the hon. Gentleman the Member for Nottingham (Mr. O'Connor) to the propositions of the Government, and he should vote for that Motion. The Poor Law Act was no remedy for the evils from which Ireland suffered; and, in particular, the mode of rating was highly objectionable. Ought the Irish people to be subject to legislation to which persons so absolutely ignorant of Ireland as the hon. Member for Tavistock (Mr. Trelawny) were parties? The hon. Member for Bolton (Dr. Bowring) was about to address the House, when a momentary pause occurred, and the hon. Gentleman, having been earwigged by somebody, stated shortly, but not sweetly, that he should abstain from addressing the House, in order not to impede the progress of the measures proposed by Her Majesty's Government. What were the measures to which the hon. Gentleman referred? Measures to be swallowed by the people of Ireland, in which there was more of honey and less of pickle than on former occasions. He remembered when the first Coercion Bill was brought in, and when the first reform Parliament assembled. An extensive reform was obtained by England, and also by Scotland; but what measure of reform was given to Ireland? The most niggardly that could be devised—a measure which the Irish Attorney General stated that he would not have brought forward if he had not considered it a Conservative measure—which, in Irish politics, meant a Tory measure. After the Reform Bill was carried, the first measure brought into that House was a Coercion Bill for Ireland; though he must say for the Whigs that their Coercion Bills had become

> "Small by degrees, and beautifully less,"

till they were reduced almost to a nonentity. That Bill had weakened the power of the then Government, and was never put into operation in any one county of Ireland. It gave courts-martial the power

of trying offences; but not a single trial took place under it. But the Government was so much attached to the system, that, when it expired, it was with the utmost difficulty a less dangerous and more constitutional, but still powerful measure, was obtained from the reformed House of Commons. This was the Act of 1835, which also turned out a dead letter. That Bill broke up the Whig party, for it turned the current of public feeling in Ireland against them. The same party was in power again; but they had commenced their career with a bad omen; they began the first Session of the new Parliament with an act of coercion for Ireland; yet the Irish Members were met by an almost universal request to postpone the consideration of the present Motion, in order to allow the Government to follow up its former bad precedent. He could not consent to that course; he hoped the hon. Member for Nottingham would be supported by a considerable number of Irish Members. He warned the Government against persisting in the course they were pursuing; it would hurl them from power, as it had done their predecessors. The Irish Members were charged with quarrelling among themselves; but as soon as they forgot all private dissensions to protect Ireland from oppression, they were turned on and taunted by the hon. Member for Tavistock for uniting and forgetting former differences. But if they could not get justice, they would prevent oppression; at all events, it should not be their fault if justice was not obtained. They had often been told that the House was sick of hearing the "Irish howl;" let them beware how they changed it into a "war cry." Let them consider in what a position the country stood with regard to its internal defences; they knew on what a slight thread hung the peace of the Continent; and if they wished to be strong let them lay aside Coercion Bills and conciliate Ireland.

Mr. FAGAN having claimed the indulgence and forbearance of the House for himself and the Irish Members, protested against the extent to which the Member for Tavistock had imputed unworthy motives to them for the course they were adopting on the Coercion Bill. If he believed it to be just and necessary—if he thought it would prevent a single crime, or stay the shedding of a single drop of blood in Ireland, he would support it, were it ten times more severe. When the hon. Member for Tavistock taunted them with really believing the Bill to be necessary, although they opposed it, he did not do them justice. As to the question of repeal, when he recollected that 7,000,000 out of 9,000,000 of people were anxious for it—when he recollected the celebrated debates of 1834, and the eminent men who took part in them—when he remembered the solemn promises made on that occasion, and then turned to the state of the House during the greater part of this discussion, and observed the impatience evidently created by it, he almost regretted the subject had been introduced. He would commence the few observations he had to make on it by stating that he was a friend of British connexion; it was for the interests of both countries that they should be united under one Crown. It was also to the advantage of England that Ireland should prosper; she was a great consumer of English exports; and a Manchester manufacturer would tell them that Irish destitution had been a main cause of distress and embarrassment in England. He would lay it down as a position which could not be disturbed, that the prosperity of Ireland was essentially necessary to the well-being of England; and he undertook to show that a repeal of the Union, instead of rendering the connexion between the two countries less certain, would quite re-establish that connexion, and impart to it the best and most effectual security. If he further showed that to put an end to the existing legislative Union would give increased security to Irish property—if he did that, he thought himself fairly entitled to claim approbation for at least the fairness of his argument. To him it appeared that throughout the whole public of Ireland there was no class so much interested in seeing the Union repealed as were the proprietors of Irish land. In the prosperity of Ireland there was no class more interested, or so much interested, as the Irish Protestant proprietary; and he felt entirely persuaded that if they believed property and its rights would not be interfered with, they would at once become repealers. He could show that if Ireland were allowed to manage her own affairs there would not be the least danger of separation. The question of free trade might, perhaps, in times past, have been a source of difference between the two countries; but recent legislation had removed that obstacle to a repeal of the Union. Then, as to such questions as the regency and others, on which the old Parliaments differed, arrangements might

easily be made to secure agreement between the legislatures of both countries. In the British Parliament, as at present constituted, Irish interests were wholly neglected, or at least postponed to that period of the Session when many Irish Members had returned to their own country, and when a large proportion of the English Members had left town. Then, the whole expenditure of the country took place in England—the Excise and the Customs departments were consolidated, and England gained all the benefit, while Ireland sustained all the loss. If any one thought Ireland had prospered by the Union, let him observe the consumption of tea, tobacco, sugar, and coffee in that country before and since the Union, and mark how different was the rate of increase of the consumption of the same articles in England in the same period. Let hon. Members refer to the statements of such men as Lord Clare, Lord Plunkett, and Mr. John Foster (the Speaker), on the prosperous and advancing condition of Ireland before the Union, and then turn to the 114 reports that had been made on her condition since, coming down at last to Lord Devon's account of the "badly-fed, badly-housed, badly-clothed" population. Look at her geographical position, her fine harbours, her water-power, her capabilities and resources—had the British Parliament directed its attention to these? The manufactures of Ireland were flourishing before the Union, and if that had never taken place they would have progressed; the Union was the cause of the destruction of the manufactures of Ireland. What promises were made by the statesmen who brought about the Union—by Mr. Pitt, Lord Castlereagh, Lord Clare, and others? Industry was to be encouraged, the resources of the country improved, and order maintained.—The hon. Member, who had been interrupted in almost every sentence by the calls for a division, now became quite unable to make himself heard, owing to the impatience of the House. At length he moved that the debate be adjourned.

MR. WALTER: I should not, Sir, have risen to address the House— ["Order, order!"]

MR. SPEAKER: The hon. Member for Cork has moved that the debate be adjourned, and another hon. Member has seconded the Motion.

MR. WALTER: As I am a new Member, I hope the House will listen to me. The observations which have been made by the hon. Members for the county and the city of Cork (Mr. E. B. Roche and Mr. Fagan) have induced me to rise for the purpose of addressing a few words to the House. Those hon. Gentlemen have favoured the House with their opinions as to the capacity of the Irish for self-government. I have always considered that the best proof of the capacity of a people for self-government—

MR. E. B. ROCHE: The hon. Member for Cork not having been heard to-night with that attention which he expected, has thought right to move the adjournment of the debate. I understand that the hon. Member for Nottingham does not rise to second the Motion for adjournment.

MR. DISRAELI: The Motion for adjourning the debate was moved by the hon. Member for Cork, and was seconded by the hon. Member for Kilkenny. I saw him rise to second the Motion; and I apprehend the hon. Member for Nottingham is speaking to the new question, whether the debate shall now be adjourned.

MR. SPEAKER: The hon. Member who is addressing the House is quite in order, inasmuch as he is addressing himself to the question before the House, that the debate be now adjourned.

MR. WALTER: I was about to say that the hon. Members for the city and for the county of Cork have favoured the House with their opinions as to the capacity of the Irish people for self-government. I have always considered that one of the best tests of the capacity of a people for self-government was the possession of business habits; and of those habits one of the most important was that habit of keeping to any question under discussion. Now, if I were to apply that test to the people of Ireland, I should say, after the course which has been pursued by Irish Members during this debate, that they were about as fit for self-legislation as the blacks. The House may not be aware, but it is nevertheless a fact that the blacks have a proverb that "if nigger were not nigger, Irishman would be nigger."

MR. J. O'CONNELL rose and said: I think it is a question whether it is quite in order that this buffoonery should go on.

MR. SPEAKER: The hon. Member for Kilkenny (Mr. J. O'Connell) is clearly out of order in applying the word "buffoonery" to any observations that have

fallen from the hon. Member for Nottingham.

Mr. J. O'CONNELL: To anything that you say, Sir, I of course bow at once; and any expression that I have used I entirely retract. I spoke under strong feelings when I heard the expressions of the hon. Member.

Mr. WALTER: No less a person than Bishop Berkeley, an Irish bishop, gives us the proverb I have just mentioned; and I should not be surprised if, one day or other, such a transformation took place. From some speeches which have been made during this debate, it might almost be thought that Irish distress and Irish grievances were new to the House; that the exactions of the conacre system and the hardships of ejectments had never been heard of before. Why, there can scarcely be a Member of this House who has not heard these questions discussed, out of the House, at least five hundred times; and I maintain that, however important such subjects may be—and weighty and important they are—this is not the proper time to bring them under discussion. We are now met for a different purpose. We are met to protect the lives of our fellow-subjects from murderers and assassins; and are we to be told by hon. Members for Ireland, that we are to place no check upon Irish assassins until we have provided remedies for Irish grievances? If a burglar breaks into my house, am I to inquire into his motives for committing the crime, or into the circumstances of his past life, before I avail myself of those means which my own instinct would prompt me to use, and which the law allows me to use, to prevent his depredations? What would the Irish Members have said, if, at the time when the famine was raging in that country, instead of voting millions for their relief, we had told them we should not give them a farthing till we had inquired into the causes of the potato-rot? If hon. Gentlemen would admit of no delay—no inquiry—when money is the question, let them be for once consistent, and interpose no further obstacles to the measures which this exigency demands. We have been told by my hon. Colleague the other hon. Member for Nottingham (Mr. F. O'Connor), that, for the repression of ordinary crimes, ordinary laws are sufficient; and he read a number of extracts from various writers in support of his position. I agree with my hon. Colleague, that, for the ordinary crimes of murder, theft, and highway robbery, ordinary laws are sufficient; but I maintain that an organised system of midday assassination is no ordinary crime. I think we should deal with those who commit such crimes as Dr. Johnson proposed to deal with madmen—knock them down first, and reason with them afterwards. I would say, in the words of King Richard II.—

> "We must supplant those rough rug-headed kerns,
> Which live like venom, where no venom else,
> But only they, hath privilege to live."

Mr. E. B. ROCHE rose for the purpose of remarking, that the flippant speech which the hon. Gentleman who had just sat down had made about Ireland (and which reminded him of those violent, bitter, and envenomed articles he had read in a certain paper published in that metropolis), however smart it might have been, was not exactly to the point. His hon. Friend the Member for Cork (Mr. Fagan), a man of great practical experience and industry, had introduced and argued this question in a very sound and forcible manner; and he (Mr. Roche) thought that very unfair means had been taken to prevent him from continuing his address. He considered that his hon. Friend would not have done justice to his country or to his constituents if he had not appealed to the generosity of English Gentlemen to listen to his statements. He (Mr. Roche) hoped, therefore, that hon. Members who might have been impatient upon this question, would overcome their inclination to go to a division, and would listen to what his hon. Friend the Member for Cork might have to advance. If the House persisted in interrupting his hon. Friend, or refused to listen to him, he hoped that his hon. Friend would press his Motion for adjournment to a division.

Mr. FAGAN again rose, but the repeated cries of "Order, order!" "Go on!" and "Oh, oh!" rendered it impossible for him to proceed.

Mr. SPEAKER: The question before the House is, that the debate be now adjourned.

The O'GORMAN MAHON: I beg to move as an Amendment, that the hon. Member for Cork (Mr. Fagan) be called upon to continue his address. I must say, having had experience of the proceedings of this House some years ago, long prior to the entrance of many of the younger Members, that it was not without astonishment that I witnessed the admirable pa-

tience with which hon. Gentlemen have listened to the debate which has taken place. I deem it but right in gratitude to say, that, before this evening, they evinced a disposition to give the greatest attention to any hon. Members who addressed the House. Knowing this to be so, I would say, continue your generosity a few moments more, and perhaps the hon. Member will not trespass on you long. In olden times, I remember, these interruptions did but serve to give a new spring to the energies and revive the powers that were all but exhausted by the previous kind and courteous treatment of the House. I hope, in this instance, the debate will terminate in as calm and kindly a feeling as that in which it originated.

Sir G. GREY: The hon. Gentleman has only done justice to the House in saying that it is ready to give a patient and calm hearing to every Gentleman, so long as he confines himself to the subject under discussion. I think the hon. Gentleman would have been warranted in saying that the utmost attention has been given to every Gentleman, from whatever part of the empire he may have come, even up to this evening inclusive. I think if the hon. Gentleman who has addressed the House to-night with somewhat longer pauses than are usually made, and which may be fairly attributed to a want of experience, would take counsel from the hon. Member for Ennis (The O'Gorman Mahon), and confine his remaining observations within a moderate limit, the House will listen to them with every attention.

Mr. J. O'CONNELL: I do think the right hon. Baronet has not treated my hon. Friend quite fairly, considering that he is a new Member. As to what has fallen from the hon. Member for Ennis, I can only suppose that he has been so long absent from the House as to have forgotten what has been the courtesy usually observed towards Irish Members; but I have myself been sixteen years a Member of this House, and I am bound to say that in no previous Parliament have I witnessed such an inclination to prevent and to crush Irish discussions as has been exhibited this night. The most indecent interruptions have been offered by a number of Members collected on each side of the bar to those who have come here to discharge their duty to their country under the most painful circumstances. Are we to be hunted down because we do not choose to lay our country at your feet, to be trampled on at your will? You think Ireland will be submissive. My decided conviction is, that I have not yet witnessed any Parliament in which there has been such intolerance exhibited. And I hope my hon. Friend will persist in his Motion to adjourn the debate, if it is only to mark our indignant sense of the treatment he has experienced.

Mr. FAGAN said, that if he thought he had used a single expression which could have caused the interruption, he would most willingly apologise; but he was not aware of having used any such remarks. He thought it was due to himself, and it was due to the constituency he represented, to show that he was not to be crushed. He was endeavouring to put in language not certainly exhibiting much talent, or in arguments exhibiting much consistency, but as far as his abilities went, why he thought the repeal of the Union would benefit Ireland, and, benefiting Ireland, would benefit England. In his own idea he was perfectly in order. The Motion this evening had nothing to do with the Coercion Act: it was simply for an inquiry into the Act of Union. It was not his intention to intrude any further remarks on the subject, of which the House was tired. Although it was his opinion that the struggle for the repeal of the Union was to take place on the floor of the House, he greatly feared, from the spirit which had been exhibited this evening, that the people of Ireland would not obtain any of those rights which they claimed from a repeal. He regretted it much, because it would occasion much disappointment and ill-feeling in the country. For himself he feared nothing; he did not mind the manner in which he had been received. He was a stranger, unknown to those Gentlemen who had exhibited such ungentlemanly feeling. He was not anxious to offend any one; he never consciously offended any one, and it was probably because of this feeling that he had been received as he had. He feared nothing for himself, but grieved deeply for the cause of his country. He had no wish to show any angry feeling by persevering in the Motion for adjournment, and therefore most willingly withdrew it.

Motion withdrawn.

Mr. O'CONNOR replied. The right hon. Baronet had asked him whether he would prevent the Irish people from coming to England in search of labour; to that he answered, that it would be better to confine them to their own country. He

would say one single word to the hon. and gallant Member for Longford (Major Blackall), and then have done. It seemed that that hon. and gallant Member had watched him (Mr. O'Connor) in his political career, and was not satisfied with his patriotism. He would give the hon. and gallant Member all the license he required to make strictures upon his (Mr. O'Connor's conduct. Those he should suffer to pass by as the idle wind; but it was rather an extraordinary excuse for not supporting the present measure, that it had been introduced by an Irishman representing an English borough. Now, he saw no difference between an Irishman representing an English borough, and an English gentleman representing an Irish county or borough. He had stated in the outset, that one of his reasons for introducing this Motion early in the Session was to produce the very declaration which the hon. and gallant Member had made; for, if he was rightly informed, that hon. and gallant Gentleman was one of those new-fledged Repealers whose return to that House was upon the understanding that they were to support the repeal of the Union. With regard to his hon. Colleague (Mr. Walter), that hon. Gentleman had told them a negro story. He (Mr. O'Connor) would tell his hon. Colleague a story in return. A captain on board a ship was one day about to flog a negro, but before doing so he began reading the man a long exhortation. "Massa," said the negro, "if you floggee, floggee; if you preachee, preachee; but do not floggee and preachee too." Now his hon. Colleague was about to support the Coercion Bill—let him confine himself to the Coercion Bill—but do not let him preach and flog too. All he asked for now was, not a distinct vote of the House on the question of the repeal of the Union, but merely that a Committee should be appointed to inquire whether or not he had established the case that the Union had been injurious to the people of Ireland. The hon. Member concluded by expressing his intention to divide the House on his Motion.

Major BLACKALL, in explanation, begged to say, in reference to the observations of the hon. Member (Mr. F. O'Connor), that he had been sent into that House unfettered on this or any other question.

The House divided:—Ayes 23; Noes 255: Majority 232.

List of the Ayes.

Blake, M. J.	Callaghan, D.
Browne, R. D.	Devereux, J. T.
Fagan, W.	O'Connell, M.
Fox, R. M.	O'Connell, M. J.
Grattan, H.	O'Flaherty, A.
Greene, J.	Power, N.
Keating, R.	Reynolds, J.
Macnamara, Major	Roche, E. B.
M'Tavish, C. C.	Scully, F.
Meagher, T.	Wakley, T.
Mahon, The O'Gorman	TELLERS.
O'Brien, J.	O'Connor, F.
O'Brien, T.	O'Connell, J.

List of the Noes.

Abdy, T. N.	Cole, hon. H. A.
Acton, Col.	Coles, H. B.
Adair, R. A. S.	Coope, O. E.
Aglionby, H. A.	Craig, W. G.
Alexander, N.	Cubitt, W.
Anson, hon. Col.	Davie, Sir H. R. F.
Arkwright, G.	Dawson, hon. T. V.
Baines, M. T.	Deering, J. P.
Baldock, E. H.	Disraeli, B.
Baring, rt. hon. F. T.	Douglas, Sir C. E.
Barnard, E. G.	Drummond, H.
Bateson, T.	Duckworth, Sir J. T. B.
Bellew, R. M.	Duff, G. S.
Benbow, J.	Duff, J.
Benett, J.	Duncan, Visct.
Bennet, P.	Duncan, G.
Beresford, W.	Duncuft, J.
Berkeley, hon. Capt.	Dundas, Adm.
Berkeley, hon. G. F.	Dundas, Sir D.
Bernal, R.	Dundas, G.
Bernard, Visct.	Dunne, F. P.
Birch, Sir T. B.	Du Pre, C. G.
Blackall, S. W.	Ebrington, Visct.
Bourke, R. S.	Edwards, H.
Bouverie, E. P.	Egerton, W. T.
Bowring, Dr.	Elliot, hon. J. E.
Boyd, J.	Enfield, Lord
Bremridge, R.	Evans, W.
Brisco, M.	Ewart, W.
Broadley, H.	Farnham, E. B.
Broadwood, H.	Farrer, J.
Brockman, E. D.	Ferguson, Sir R. A.
Brotherton, J.	Ffolliott, J.
Brown, H.	Fitzpatrick, J. W.
Bulkeley, Sir R. B. W.	Fitzwilliam, hon. G. W.
Bunbury, W. M.	Floyer, J.
Bunbury, E. H.	Foley, J. H. H.
Burghley, Lord	Forbes, W.
Burke, Sir T. J.	Fordyce, A. D.
Burroughes, H. N.	Forster, M.
Busfeild, W.	Fortescue, C.
Buxton, Sir E. N.	Fortescue, hon. J. W.
Campbell, hon. W. F.	Freestun, Col.
Carew, W. H. P.	Frewen, C. H.
Carter, J. B.	Gibson, rt. hon. T. M.
Caulfield, Col.	Glyn, G. C.
Cavendish, hon. C. C.	Grace, O. D. J.
Cayley, E. S.	Greene, T.
Chaplin, W. J.	Gregson, S.
Charteris, hon. F.	Grenfell, C. W.
Chichester, Lord J. L.	Grey, rt. hon. Sir G.
Childers, J. W.	Grey, R. W.
Clay, J.	Grogan, E.
Clements, hon. C. S.	Guinness, R. S.
Clerk, rt. hon. Sir G.	Gwyn, H.
Clifford, H. M.	Haggitt, F. R.
Clive, H. B.	Hale, R. B.
Cobden, R.	Hall, Sir B.
Cockburn, A. J. E.	Hallyburton, Lord J. F.
Cocks, T. S.	Halsey, T. P.

Hamilton, G. A.
Hamilton, J. H.
Hardcastle, J. A.
Harris, hon. Capt.
Hastie, A.
Hastie, A.
Hayes, Sir E.
Hayter, W. G.
Headlam, T. E.
Heathcoat, J.
Henley, J. W.
Heywood, J.
Hodges, T. T.
Hodgson, W. N.
Hood, Sir A.
Hope, Sir J.
Hotham, Lord
Hudson, G.
Humphery, Ald.
Hutt, W.
Inglis, Sir R. H.
Ireland, T. J.
Jackson, W.
Jervis, Sir J.
Jervis, J.
Jocelyn, Visct.
Jones, Sir W.
Jones, Capt.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
Knox, Col.
Labouchere, rt. hon. H.
Lennox, Lord A.
Lewis, G. C.
Littleton, hon. E. R.
Lowther, H.
Lushington, C.
M'Gregor, J.
M'Naghten, Sir E.
Maitland, T.
Mangles, R. D.
Marshall, J, G.
Martin, J.
Martin, S.
Matheson, A.
Matheson, Col.
Maxwell, hon. J. P.
Morison, Gen.
Mowatt, F.
Newdegate, C. N.
Noel, hon. G. J.
Norreys, Sir D. J.
Ogle, S. C. H.
Ossulston, Lord
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Perfect, R.
Pigott, F.
Pilkington, J.
Pinney, W.
Plumptre, J. P.
Price, Sir R.
Raphael, A.
Renton, J. C.
Rich, H.
Romilly, J.
Russell, hon. E. S.
Russell, F. C. H.
Sadleir, J.
St. George, C.
Salwey, Col.
Sandars, G.
Scholefield, W.
Scrope, G. P.
Seeley, C.
Shafto, R. D.
Sheil, rt. hon. R. L.
Sidney, T.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smyth, J. G.
Smythe, hon. G.
Somerton, Visct.
Somerville, rt. hon. Sir W.
Sotheron, T. H. S.
Spearman, H. J.
Stafford, A. O'B.
Stanley, hon. E. J.
Staunton, Sir G. T.
Strutt, rt. hon. E.
Stuart, Lord D.
Sutton, J. H. M.
Talfourd, Serj.
Taylor, T. E.
Tenison, E. K.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, J.
Towneley, J.
Townley, R. G.
Trelawny, J. S.
Trevor, hon. G. R.
Turner, G. J.
Tyrell, Sir J. T.
Verner, Sir W.
Villiers, hon. C.
Walmsley, Sir J.
Walpole, S. H.
Walsh, Sir J. B.
Walter, J.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Welby, G. E.
Westhead, J. P.
Williams, J.
Willoughby, Sir H.
Wilson, J.
Wilson, M.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wood, W. P.
Wortley, rt. hon. J. S.
Wrightson, W. B.
Wyld, J.
Wyvill, M.
Yorke, H. G. R.

TELLERS.

Tufnell, T.
Hill, Lord M.

House adjourned at Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, December 8, 1847.

MINUTES.] NEW WRITS.—For Liskeard, *v.* Charles Buller, Esq., Poor Law Commissioner.—For Lancaster, County (Southern Division), *v.* Hon. Charles Pelham Villiers (made his Election for Wolverhampton).—For Stockport, *v.* Richard Cobden, Esq. (made his Election for the West Riding of York).—For Weymouth, *v.* William Dougal Christie, Esq., Chiltern Hundreds.—For Edinburgh City, *v.* Charles Cowan, Esq., being disqualified, from having, at the time of his Election, been a party to a Contract then subsisting with Her Majesty's Stationery Office.

PUBLIC BILLS.—2° Roman Catholic Relief.

PETITIONS PRESENTED. By Mr. Bond Cabbell, and other hon. Members, from several places, against Removal of Jewish Disabilities.—By Mr. W. Brown, and Mr. V. Smith, from several places, in favour of the same.—By Mr. Bond Cabbell, and Mr. Deedes, from Kent, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. D'Eyncourt, from Lambeth, for Inquiry respecting the Rajah of Sattara.

ROMAN CATHOLIC RELIEF BILL.

MR. ANSTEY rose to move the Second Reading of a Bill for the further repeal of Acts of Parliament imposing pains and penalties upon Her Majesty's Roman Catholic subjects on account of their religious opinions. He would refer the House to the third recital in the preamble of this Bill, as containing a full and fair exposition of the measure, and of the motives which had induced him to bring it forward. The preamble recited that, nothwithstanding the provisions of the two recited Acts of Parliament of the 8th and 10th Victoria—

"Her Majesty's Roman Catholic subjects do still continue to be liable for or on account of their religious belief, practice, or profession, to sundry punishments, pains, penalties, and disabilities, ordained and enacted by certain Acts made and passed by the Parliament of England, the Parliament of Great Britain, and the Parliament of Great Britain and Ireland respectively, and to which punishments, pains, penalties, and disabilities none other of Her Majesty's subjects are liable; and that it is expedient that all such punishments, pains, and penalties as aforesaid shall be for ever repealed and taken away. And that it is likewise expedient that all such and so many of the aforesaid disabilities shall in like manner be repealed and taken away as do not in anywise relate to the holding of offices, collegiate or ecclesiastical, or whereunto collegiate or ecclesiastical preferment or patronage is incident, or to the presenting to ecclesiastical benefices, or as do not in any other manner tend to the better securing and strengthening the present Church Establishment and the present Civil Government, and the settlement of property within this realm."

For his own part, he could only say that if any hon. Member could show him that any clause of this Bill would interfere with a single Act of Parliament which tended to the strengthening of the Church Establishment, or the present civil Government, or

the settlement of property, he would at once be happy to strike it out. His object was merely to benefit Roman Catholics, so far as he could do so without harm or detriment to any other interest. Before he entered into the details of the measure, he wished to address himself to an objection which had been urged against it in the course of last night's debate. It was said by the learned Attorney General that the Ministers of the Crown and their law advisers had not had sufficient time afforded them to consider the details of the Bill and the Acts of Parliament which it proposed to repeal. He begged to say, that this very Bill had been under the immediate consideration, not only of the Legislature, but of the present and also of the last Administration, from 1842 down to the present time. In the summer of 1842 the Criminal Law Commissioners drew attention, in their report, to the laws relating to Roman Catholics, and suggested, in strong and forcible language, that something should be done to effect the repeal or simplification of the whole body of that penal code; but they added, that they forbore to offer any specific suggestions on the subject, because they considered that their commission did not authorise them. On the 13th of July in that year the hon. Member for Finsbury (Mr. T. Duncombe) asked the right hon. Baronet who then filled the office of Home Secretary (Sir J. Graham), whether it were the intention of the Government to bring forward a Bill to carry into effect the recommendations of the Criminal Law Commissioners; and the right hon. Baronet replied that the subject was one of much delicacy and difficulty, and that the Government were not then prepared to introduce such a measure. On the 3rd of May, 1844, Mr. Watson, who then represented Kinsale, repeated the same question; and the answer of the right hon. Baronet being more favourable than his former one, Lord Beaumont, on the 6th of May, laid on the table of the House of Lords a Bill embodying all the enactments contained in the measure which he held in his hand. That Bill was read a second time, and passed through Committee, without a division; but, in consequence of some representations from the Universities of Oxford and Cambridge, and from some of the Lords Spiritual then absent from town, the Lord Chancellor, on the 30th of July, 1844, proposed to strike out all provisions about which there might be any contrariety of opinion in either House, and the Bill so amended passed into a law—7 and 8 Victoria, cap. 102—repealing about half the enactments originally proposed to be repealed. On the 20th of March, 1845, Mr. Watson brought in a Bill for the repeal of the remainder of those enactments; but it was thrown out on the 9th of July, owing to the Government having stated that they had determined to appoint a Commission to inquire into the operation of the laws affecting Roman Catholics, and the propriety of their repeal. That Commission, however, was defective in this respect, that the Commissioners, conceiving that they were only to inquire respecting ancient laws, concluded their labours with the 31st of George III., the last of these penal Acts, and did not consider the propriety of repealing the clauses in the Relief Act of 1829 against monks, Jesuits, and regulars. Mr. Watson, therefore, on the 5th of February, 1846, again brought in his Bill into this House. Two days before that, the then Lord Chancellor had introduced a Bill into the House of Lords founded on the report of the Commission, and proposing the repeal of various enactments. It had been his Lordship's intention to include all the penal Acts affecting Roman Catholics down to the 31st of George III.; but the Bill was somewhat inartificially drawn, and one or two enactments were omitted upon a surmise that they were no longer in force. But it should be observed, that although the specific penalties contained in those statutes had been repealed, yet, notwithstanding, the prohibition itself remained upon the Statute-book, and a good deal of doubt existed as to the state of the law. Of course he did not wish to state his opinions when they were adverse to so high an authority as that of Lord Lyndhurst; but he was bound to say that with respect to these portions of the enactments, amongst eminent lawyers considerable doubt had arisen. And he would submit that any such law upon which such a doubt had arisen, ought to be repealed, and that they would all concur in the propriety of the course now proposed. In order to clear up these doubts, therefore, Mr. Watson introduced his Bill, which was read a second time, by a majority of nearly three to one. It was afterwards, in consequence of an Amendment by the hon. Baronet the Member for Oxford, thrown out. On the 18th of August, 1846, the Lord Chancellor's Bill received the Royal Assent,

and became the Act 9 and 10 Victoria, c. 59. On the 10th February, 1847, Mr. Watson again brought in his Bill, and he undertook—in consequence of the right hon. Baronet the Member for Tamworth stating that otherwise he should oppose the Bill—to add clauses for the registration of those Jesuits and male regulars whom it was proposed to relieve from the penalties of the Act of 1829. He added those clauses; but that right hon. Gentleman was absent on the 14th of April, the day for going into Committee; and, it not appearing whether he was or was not satisfied with the proposed clauses, the Bill was, after debate, thrown out. The principle, then, of the present Bill had been affirmed by the last Parliament; and the points of detail which caused the failure of the measure before, would be properly discussed in Committee. The Bill proposed to repeal enactments as to the expediency and justice of whose repeal there was no doubt; and if it repealed also others, which some hon. Members would retain, the time for determining the selection would be in Committee. The Religious Opinions Act of 1846 had placed the Jews upon the same footing with their Protestant fellow-subjects in all social respects, with the single exception of the disability which the Bill proposed to be brought in by the noble Lord (Lord J. Russell) would remove; the object of the present measure was, to place Her Majesty's Roman Catholic subjects upon the same footing, for all social purposes, with their Jewish fellow-subjects. The Bill proposed, first, to repeal, not the Act of Supremacy, 1 Elizabeth, c. 1, but one clause in it, of extreme severity and cruelty, and absurd to be retained after the Legislature had restored Roman Catholics to a legal *status* and capacity—a clause providing that if any one should affirm, maintain, or defend the authority, pre-eminence, power, or jurisdiction, spiritual or ecclesiastical, of any foreign prince or prelate, theretofore claimed, he should suffer certain penalties. The Religions Opinions Act repealed the specific penalties, but left the prohibition in force; so that here was still an offence punishable with fine and imprisonment, it being a misdemeanor by the common law to disobey an express statute. It was originally proposed to repeal this Act of Elizabeth by the Lord Chancellor's Bill; but out of deference to the scruples of the Bishop of Exeter, and to facilitate the passing of the Bill, the Lord Chancellor reluctantly gave way. The next enactment which the present Bill would repeal was the 13th Elizabeth, c. 2—

"against bringing in and putting in execution bulls, writings, or instruments, and other superstitious things from the See of Rome."

By that Act it was made an offence punishable with *præmunire* in the first instance, and high treason if repeated, to bring in or publish or use any bull or rescript, of however harmless a character, of the See of Rome, or even to import into this realm, or use within it, any rosary or *Agnus Dei*. Those penalties were in effect repealed as to rosaries and agnuses by one of the Customs Acts, in 1824 or 1825, which substituted for punishment so severe the payment of an *ad valorem* duty on importation. But the statutory prohibition as to bulls and writings remained, with the liability to fine and imprisonment at common law. The total repeal of this enactment was proposed by the Lord Chancellor's Bill, but relinquished upon the objection of the Bishop of Exeter; and, instead of that, the punishments of *præmunire* and death were taken away, and those of fine and imprisonment suffered to continue. The next enactment now proposed to be repealed was the Uniformity of Worship Act, 13 and 14 Charles II., c. 4—one of the enactments which the Lord Chancellor had supposed to be indirectly repealed; but other lawyers had expressed a different opinion. Under this Act, any person hearing or being present at any other form of worship than that contained in the Book of Common Prayer was liable to six months' imprisonment for the first offence, one year for the second, and imprisonment for life for the third. The present Bill would also repeal 25 Charles II., c. 2, which related to Popish recusants, and prevented them from filling any office under Government; and, in the opinion of some lawyers, Roman Catholics who had omitted certain oaths imposed by that Act, as well as those contained in the Relief Act, were not protected by the Indemnity Act. To remove similar doubts, also, the 30th Chas. II., which disabled Papists from sitting in Parliament, was proposed to be repealed. The statutes of the present reign repealed enactments imposing the oath of supremacy under the penalties usually attached to Popish recusancy; but by an oversight, as well of Mr. Watson as of the Criminal Law Commissioners, the 7th & 8th William III., c. 24, which re-enacted a former Act of

the same reign, and imposed on practitioners of law refusing the oath of supremacy the penalties of a *præmunire*, was not included in either of the repealing statutes of the present reign. It was proposed to be now repealed. He might mention that every clause contained in the Religious Opinions Act which in any way referred to Roman Catholics had been taken textually and literally from Mr. Watson's Bill. There were also some restrictive clauses of Mr. Burke's Act (31st George III., c. 32) which were still in operation; and he proposed by the present Bill to repeal several of the provisions of that Act. He might explain to the House that one of the effects of the penal laws was to make all dispositions of property for the benefit of the Roman Catholics in their spiritual capacity absolutely illegal. To remedy this state of things as far as possible, an Act was passed in the reign of William IV., called the Roman Catholic Charities Act; but, according to a recent judgment of the present Lord Chancellor and one of the Vice-Chancellors, the reservations in Mr. Burke's Act had not been repealed by the statute of William IV.; so that all dispositions of property for Roman Catholic purposes, not expressly repealed by the Roman Catholic Charities Act, were still illegal and liable to confiscation. A case actually occurred under this law during the Administration of the right hon. Baronet the Member for Tamworth, where such property was confiscated. It had been given for the support of the Roman Catholic poor of Hexham in 1698, and regularly enjoyed down to 1825. Yet it was confiscated. But to the great credit of that right hon. Gentleman, he advised Her Majesty in 1842 that the property should be regranted for the purposes for which it was originally given. By the Act of 31st George III., the Roman Catholic ecclesiastics were subject to several other penal enactments, such as being deprived of the use of a steeple and bell, and of the right of performing funeral service in the churchyard. It was for the House to say whether it was fit that Roman Catholic ecclesiastics should still be liable to have their property confiscated, and to be subject to perpetual imprisonment and transportation for life, for offending against such enactments. The next penal enactment was contained in the 10th George IV., c. 7, commonly called the Roman Catholic Relief Act. He might mention, that he had carefully omitted to propose the repeal of any one clause as to which there might be any objection. He had not complied with the suggestions of many friends, of doing away with the disqualification of a Roman Catholic to fill the office of Lord High Chancellor of England or of Ireland. His reason for this was, that so far from considering it a penalty for a Roman Catholic to be disabled from administering ecclesiastical patronage in the Church of England, it was a wise ordinance standing between the conscience of any Roman Catholic and the performance of inconsistent duties. If he had proposed the repeal of that restriction, it would have been accompanied by a provision that the ecclesiastical patronage should be exercised by some other authority during the time that a Roman Catholic should hold such office. But this he would be unable to do without the previous consent of the Sovereign. The effect of the enactment making it illegal for Roman Catholics to perform the funeral rites openly was, that the ceremony was performed in the dead man's chamber, where a mock funeral took place, in order that the burial service of the Church of Rome might be read. This service being concluded, the body was carried to the grave without any prayer or formula, and there deposited as if it were the body of an unbaptised and unchristian man. He proposed to repeal that clause. He also proposed to repeal so much of the law as provided for the gradual suppression of the Jesuits, and of bodies bound by monastic and religious vows, resident within the United Kingdom. When he stated to the House that this law affected not only Jesuits—not only monks and friars, who participated, he believed, very largely in the odium and unpopularity which a long course of misrepresentation had laid them under—not only these, but also men as to whom there could be—among men of charity, humanity, and religion — no doubt at all, that it affected the Christian Brothers, those who were devoted, from youth to manhood, from manhood to old age, and from old age to death, to the constant and unceasing care of the spiritual and temporal concerns of the veriest poor — those who were serving God and were doing good to man — that every one of these saintly men was at this moment liable to transportation to Norfolk Island — that Gehenna of the southern seas—for their natural life, to be worked there as convicts, among the worst and most degraded

of the human race; surely, when he mentioned this, he had made out a strong case for the adoption of the principle at least—for that was all to which he now sought to pledge the House — of his Bill, by which they would declare that it was at length necessary that this odious, unchristian, and degrading legislation should be for ever done away. He would appeal to hon. Members on both sides of the House, especially to those who knew the regulars both of England and of Ireland, whether it was fit that the Apostle of Temperance and his Franciscan order, and the Cistercian order of Mount Melleraye in Ireland, and Mount St. Bernard in England, and the Christian Brethren of the two countries, should be any longer exposed to these cruel and degrading penalties—whether it were fit that those who loved and cherished those pious men should be any longer exposed to the reproach that such laws existed, and that no effort was made for their removal? His object was merely to move for the repeal of the laws to which he had referred: he proposed to substitute nothing in their place. Those who thought it necessary that there should be a registration of Jesuits or monks, as such, as well as in their capacity of Roman Catholic priests under the 31st of George III., might propose it. He would not. His duty was limited to proposing the repeal of the penal clauses in the Act of 1829, the absurdity and injustice of which were universally recognised. He did not know that any Member of that House, except the right hon. Baronet the Member for Tamworth, the author of those enactments, would attempt to defend them. They were founded on a supposed distinction between the secular and regular clergy of the Church of Rome — a distinction which it was reserved for the right hon. Baronet to invent— a distinction not made by the friends of religious liberty—a distinction not to be found in the Elizabethan or Caroline statutes, by which the Church of Rome and all her children had been put under the ban of outlawry and civil death. It was possible that the right hon. Baronet was still attached to the distinction he had invented, for the ignoble purpose, as it seemed to him (Mr. Anstey), of sowing discord between the Jesuits or monks upon the one hand, and the secular clergy of the Church of Rome upon the other. But, at least, no other Member of the House was of that mind. Whether hon. Members were friendly or unfriendly to the principle of the present measure, they were unanimous in condemning the degrading enactments of 1829, which had no prescription of time in their favour, and were impotent to effect their apparent purpose. He did not know what course the present Home Secretary was likely to take on this occasion. But he would invite his attention to the wise and noble language in which his predecessor, the right hon. Baronet the Member for Ripon, had expressed himself on the 24th June, 1846, with reference to Mr. Watson's Bill of last year. That right hon. Baronet, speaking with official knowledge, and upon official responsibility, as Secretary of State for the Home Department, thus expressed himself:—

"I now come to a matter of infinitely greater importance, relating to the regular orders in this country. And, Sir, I certainly do not participate in the expression of that jealousy which has been stated by others with reference to the regular orders. I should be the last man to cast any sweeping censure upon them; I will not ascribe to them any disloyal or treasonable intention, endangering the safety of the State; I entertain no such opinions of them; and even with respect to one of those orders in particular—I allude to the Jesuits—I cannot forget that literature and that the Christian religion are under immense obligations to that order. I believe that they are among the most learned and the best educated members of the Christian faith; but on the other hand, I am bound to state, with respect to that order, and to the regular orders generally, that the members of the Protestant religion have just cause of jealousy—not on account of the political opinions of those orders, but on religious grounds; because it must be admitted that the regular orders are the aggressive force, and that they supply the missionary body most active in the conversion of those who are heretics in their eyes. I therefore say, that the Protestant Establishment has just cause, upon religious grounds, to entertain a jealousy of the regular orders. Still, upholding as we do a spirit of just toleration, and having an immense body of Roman Catholics in this country, we cannot give its full and its proper effect to that tolerant spirit if we exclude the regular orders. The hon. Gentlemen opposite entertain conscientious feelings upon this subject, and I should be sorry to speak one word irreconcileable with my respect for those feelings. But I have reason to believe that in the great sacrament of the Roman Catholic Church—the Confession—the regular orders, so far as the laity are concerned, do administer that sacrament in a manner which is most consistent with the feelings and the sentiments of the laity. I, therefore, feel we are in this position with respect to the regular orders in this country —that we have 8,000,000 of Roman Catholics, and that we can hardly, by any sound argument, maintain any exclusion against them.*"

In every word of those extracts, he (Mr. Anstey), as a Roman Catholic, most

* Hansard, Vol. lxxxvii. (Third Series), p. 922.

heartily concurred. He agreed that the enactments of 1829 against religious liberty should be repealed. He agreed that the conscientious scruples of those in communion with the Established Church ought to be respected. He would not be there that day to support the present measure if he were not persuaded that, whilst it gave security to the Roman Catholic conscience, it emperilled no interest—it violated no feeling which was dear to those of any other faith. It was not his wish to deprive the large and respectable class of his fellow-subjects in communion with the Church of England of any essential security. Far from that! If any such attempt were made—whether in the shape of an Appropriation Clause or in any other shape—he would be the first to oppose it. The restrictions contained in his Bill were as dear to him as the relief it would confer When persons argued that by the passing of this Bill the supremacy and title of the Church of England would be taken away, they forgot that we were living, not under Charles II., but Queen Victoria. It was ridiculous now to raise the question of the ascendancy of the Established Church of England and Ireland. That ascendancy had been taken away long before the passing of any Act for the relief of Roman Catholics. Lord Mansfield said, that from the moment the Act for the toleration of British Dissenters passed, in the reign of William and Mary, the worship of every sect of Protestant Dissenters in the realm, Unitarian excepted, became an established religion. In the same way it was a matter of notoriety that from the time the 19th George III. was passed, the Roman Catholic body was entitled, though they did not exercise their right, to claim the assistance of Her Majesty's Ministers, courts, and officers of justice, to retain them in that *status* with respect to maintenance and defence of the rights and privileges to which they were by law entitled. He appealed to any lawyer in the House to say if he were not correct, and to deny, if he could, that a writ of *mandamus* or an injunction would not issue on the application of a Roman Catholic prelate for the removal or deprivation from his parish of any priest who was contumacious, or would not preach in accordance with his ritual. It was idle, then, to talk of the ascendancy of the Church any longer. The law now protected all alike. Having thanked the House for the patience which they had extended towards him, the hon. and learned Member concluded by moving that the Bill be read a second time.

Sir R. H. INGLIS said, that although he could not but acknowledge the business character of the speech they had just heard, he would not be tempted to follow the hon. and learned Gentleman through the lengthy details with which he had treated the House respecting the history of the Bill before them, and of its predecessors. He would not travel into the facts connected with the Bills of 1842, 1845, and 1846, but would confine himself to the Bill introduced in an early part of the present year by Mr. Watson (the late Member for Kinsale). True it was that the hon. and learned Gentleman who had just addressed them was better able than any one else could be to state the facts connected with those measures; for, in point of fact, they were his own manufacture. The blunderbuss bore his name everywhere but in the House, and it was to be considered as double-barrelled, for with the present Bill was to be taken the Roman Catholic Charities Bill, which had been already before them. The hon. and learned Gentleman opposite primed and loaded both barrels, and gave it to Mr. Watson to discharge; but unfortunately it missed fire, and they had but now heard the report in the speech of the hon. and learned Gentleman himself. The double object of these measures was—and he called on the House to say if he in the least exaggerated it—was neither more nor less than to increase aggressively the influence of the Church of Rome, and indirectly to diminish that of the Church of England, and of the Protestant Church in general. As to the operation of the other Bill, it was for lawyers to form an opinion; but he believed its effect would be practically to remove all the restrictions of the law of mortmain, in so far as they related to the Roman Catholic Church; and in saying so, he did no injustice to the hon. and learned Gentleman, for he had three or four times repeated the words which the Member for Kinsale (Mr. Watson) had used on a former occasion in his Bill. As far as the Roman Catholics were concerned, all their disabilities were removed; but as far as benefits were to be obtained, and advantages to be conferred by the passing of this Bill, they were to be extended to Roman Catholics, and to them only. Therefore those Liberal Members who supported it must be aware, that whatever evils were to be redressed or good conferred, would be restricted to Roman Catholics by this Act, and that their Protestant

fellow-subjects would not receive any relief or benefit of any description. The law was general, and did not refer to Roman Catholics alone; and when the hon. Member proposed to relieve them only, he must know that the penalties for denying the Queen's supremacy, for instance, were applicable to the Church of England, as well as to the Church of Rome, though he would leave them in the former case, and remove them in the latter. The hon. Gentleman stated he would not remove those restrictions for conscience sake which prevented Roman Catholics from presenting to any benefice in the Established Church; but he was at the same time very willing to admit the right of Roman Catholics to hold the highest offices in the State, with all their privileges, and with these of course he included the disposal of Church patronage. On a former occasion, the right hon. Member for Dungarvon (Mr. Sheil) distinctly claimed for the Irish Roman Catholics the right to hold the office of Lord Chancellor without any such restriction as to patronage. Looking to the whole of these proceedings, and the spirit with which they were animated, he thought himself justified in saying that this Bill was one of a series of aggressive measures, by which the Church of Rome sought to elevate itself in this country, and proportionably to degrade and lower the Protestant Established Church. The House would very imperfectly discharge its duty with respect to the Bill if they did not consider it, not merely in its relation to the other branch of which he had spoken, but in reference to the conduct and views of the Church of Rome, wherever she had power in Europe or this country. It was not enough to look to the clauses of the Bill that had been placed on the table of the House, but to consider the *animus* in which the Church of Rome was conducting her operations in every part of the country. The hon. and learned Member, in describing the Bill, though generally correct in his statements, was not altogether justified in saying it was identical with the Bill brought in by Mr. Watson. That gentleman was induced by a consideration of expediency, and looking to the chance of the Bill passing by its being in so far adapted to the views of those who would otherwise oppose it, to promise that he would introduce a clause with respect to Roman Catholic processions in the streets. The hon. and learned Gentleman had not literally adopted that clause. Mr. Watson had also introduced two clauses, marked B and C, in the former Bill, which referred to the registration of the religious orders, and were considered essential securities by the hon. Members who gave him a qualified support, which they would have withheld altogether if those clauses had not been inserted. These were not in the present Bill. He contended that though *totidem verbis et totidem literis*, the Bill was the same in those clauses which remained, it could not be said to represent the Bill of Mr. Watson. The hon. and learned Gentleman said the principle of the Bill was admitted by the House on a former occasion; but he (Sir R. Inglis) in answer to that would just state what the House did in the matter in April last, and would only say he trusted the House would, by a majority as great as that by which they had then defeated the former Bill, now reject the present attempt of the hon. and learned Member for Youghal. His recollection was not very perfect as to the numbers of the division on the Motion for the second reading; but he recollected that it barely escaped being rejected, the majority for it being only three, and that finally it was rejected by a division in which the numbers were 158 and 119. He hoped they would not allow this Bill to go into Committee, for as far as the operation of it related to what were called "obsolete laws," and what had been termed by an hon. Friend of his not now in the House "the rubbish of the Statute-book," it was practically rendered useless by the Religious Opinions Act, 9 and 10 Vict. Could any member of the legal profession in the House furnish him with a single instance in which an indictment at common law had been laid for any one of those violations of the law to which the Bill referred, for the last 250 years? He would give them 50 years before that, and they would only discover one solitary instance of such a prosecution. The first Bill mentioned by the hon. and learned Gentleman had been repealed by 7 and 8 Victoria. He begged to repeat the question he had put on the first occasion when this subject was discussed, namely, how far the supremacy of the Queen in all matters of religion, and the essential condition on which she held her Crown as a member of the Protestant Church established, testified by her communion in the most solemn act of her religion, would or would not be affected by the provisions of the Bill now on the table of the House? It was very true the hon. and learned

Member did not directly repeal the Bill of Rights; nor had any Gentleman, in or out of the House, ventured to whisper an intention of touching that great security for the Protestant character of this nation, so far as that character was maintained by the continued protestation of the Queen against the errors of the Church of Rome as the condition of her reigning over this nation; for that was the condition on which Her Majesty and the Members of Her illustrious House reigned, and he hoped long would reign, over this kingdom. He wished to ask Her Majesty's Attorney General how far he was correct in his view?. If the hon. Member for Youghal did not repeal the Bill of Rights, he would repeal the 13th Charles II., by which a certain act required to be performed by the Bill of Rights was to be performed; and if he did so, would he leave anything for the Bill of Rights to work upon? He had asked this question in the early part of the present year, and no Member of Her Majesty's Government condescended to notice the inquiry. The hon. and learned Member for Kinsale was so far struck with the objection as to say that if it were right, if there was a foundation for it, they could alter it in Committee. But he (Sir R. Inglis) held that the House was to decide upon the Bill as it was laid on the table—to assent to it or reject it on the general view of its merits as they found it—and not to give their sanction upon the hope, however strongly expressed by those with whom the measure originated, that at a subsequent period they would remove or modify the objections. Let the House decide upon the Bill as they found it now. If the Bill at the present moment involved in any degree such a conclusion as this, that under its provisions the essentially Protestant character of this Church and nation, as maintained by the declaration of the Queen, the organ of the representation of England, was to be abandoned, he said, Consult public feelings, consult public principle, consult your own doubts, and do not give the sanction of your vote in favour of a measure which has even a tendency to such a consummation as this. This declaration was required by a certain Act to be taken; and if they repealed this, did they not weaken, if not entirely remove, the obligation of the Sovereign to take the oath? It was not for any Member sitting in that House to say that this declaration imputed opinions to members of a great Church, which it was very painful to him, as a member of that Church, to hear so stated. The members of the Church of Rome, our fellow-subjects, had for the last century and a half, and above all from the year 1829, been admitted to the privileges to which they had by succession been raised, under the stipulations of security specified. He was speaking in the hearing of some who took a leading part in favour of the Act of 1829, when he said there was every reason to believe that measure would never have been carried if such securities as the present Bill professed to remove had failed to be inserted. Whether it were true, as had been alleged, that the hon. and learned Member would be willing to get rid of all which might be called, comparatively at least, the obsolete statutes against which he directed his aim, or whether his great object was to repeal the clauses inserted in the Act of 1829, of this at least he was sure, that the House would do well to look before them when asked to give their sanction to either of these propositions. The hon. and learned Member had stated, in respect to some of these latter clauses, the grievance now existing, of a Roman Catholic clergyman being confined to the performance of the religious ceremonies of burial in the house of the party dying a member of that communion. As all legislation was a compromise of evils, he would say that even if they were prepared to allow as a grievance the refusal to admit priests of the Church of Rome to celebrate in the grave-yards of our churches, for example, in a manner as public as that in which the clergy of the Established Church were permitted and bound to celebrate their services, he felt that this advantage would be dearly purchased by the violation of tranquillity and peace which would ensue. Recollect that if you granted this to Roman Catholics, you must grant it to every party; and the character of the Church of England, not as the dominant Church, for that had long ceased to be, but as the Established Church, would be seriously endangered, if you were to give in the places of worship restricted by law to members of the Church of England, a right to members of any other communion to perform their religious ceremonies. For this was the fact: it was now proposed that members of one religious communion should be admitted to celebrate the rites of their creed within ground belonging by law to members of another communion. He did not admit that the grievance was one which ought to be removed at such a

risk. Then with respect to processions in the streets, he had heard an hon. Member, whose voice was always listened to in that House with the deep attention ensured by his influence over his fellow-countrymen—he referred to one now not only no longer a Member, but no longer living in this world—declare almost inaudibly, but certainly in a most solemn tone, that nothing should induce him to consent to any such possible desecration of the most holy objects of his faith as would probably attend a procession through the streets of any of our towns. The hon. and learned Member for Kinsale entirely agreed in this, for he stated that the object of the clause he had proposed was limited to funerals. Was the clause as it stood now in the Bill of the hon. and learned Member for Youghal so limited? He apprehended that it was not. Had the hon. and learned Member wished clearly to define the enactments of his Bill, it would have been easy, instead of saying that nothing in this Act contained should prevent such acts from being done, to have said specifically what it would be lawful for Roman Catholics to do. There were countries in which such processions were not lawful; he apprehended that no such procession could pass through the streets of Paris at this moment. It certainly was not the case a few years ago; but if it were otherwise now, the increase of the power of the Roman Catholic Church had not been very greatly to the advantage of the country. The hon. and learned Member had said that every member of a religious order was at this moment liable to be transported for life, and kept to hard labour in the Gehenna of Norfolk Island. He asked the hon. Member, on his professional reputation, to state whether there had been a single instance since 1829 in which any penalty was inflicted, or sought to be inflicted, on any clergyman of the Church of Rome, regular or secular, on account of his religion? The Parliament of England required that in the case of members of these orders certain registrations should take place, as in other cases registration was enjoined by Parliament. He had found it in vain to ask for a return of the members of religious orders thus registered; for members of the Church of Rome thus bound by their religious vows, and directly contemplated by the Act of 1829, had, he would not say found it convenient to evade the provisions of the Act, but had in point of fact evaded them, and no such registration had ever been entered into. That was stated to him by a former Secretary for Ireland, and it was within the experience of both sides of the House. It was not, however, merely in reference to these points of the Bill that he felt so strong an objection to this measure. It was because the Bill in itself was part of a general system, which he had already characterised as aggressive on the part of the Church of Rome, having a tendency to aggrandise itself, and depreciate and degrade the Protestant character of this country. On a former occasion he had asked the law officers of the Crown to be prepared to say whether they regarded it as lawful for the Pope, or any foreign authority, to divide England into new dioceses? A noble protest had been made against this in the southern hemisphere by his right rev. Friend the Bishop of Australia, in a speech and formal protest, both of which did honour to the firmness of his Christian principles. No notice had been taken, so far as he was informed, either of the protest, or of the violation of the independence of the Queen's authority which the cause of that protest involved. But were those usurpations on the part of the Pope solely confined to the Australian colonies of the Queen? They had heard that it was the intention of the Pope to create new dioceses even in England. He had heard a most distinguished individual say that the apostolical succession in England had ceased to exist, and was broken, though he admitted that it existed in Ireland. If so, the claim to create new dioceses in England was an act of daring schism on the part of the Pope of Rome, or any other ecclesiastical authority. It was not only a violation of the Queen's supremacy and authority in all matters ecclesiastical, but a violation of one of the first principles of Chritian unity. If that were so, he contended that Her Majesty's Ministers, instead of entering into negotiations with the See of Rome, and signing agreements, as it was now alleged their secret emissary had signed, with the Pope, ought at once to have removed from the dominions of the Crown any bishop whose see had been created without the Queen's consent, and in violation of Her supremacy. So far from that, he saw it recently announced that Her Majesty's colonial dependencies were to recognise, in the person of the Archbishop of Sydney, one invested with higher temporal rank than the Protestant Bishop of Australia, and to give him a title accorded

to only two of the prelates of England. This was giving encouragement to those who had shown that they did not want much encouragement to raise their heads against the Protestant Established Church. He might refer also as part evidence of the *animus* of the present head of Rome to the answer recently given to the bishops in Ireland with respect to a particular Act —in which he certainly happened to think that the Pope was quite correct—the Act for establishing the Irish colleges. But his opinion that the Pope was right did not induce him to look with pleasure, or even with indifference, on the Pope's interference in the matter. It had been asked, would you refuse to receive the Pope's advice in such matters? He said no, but the rescripts of the Pope contained not advice, but commands, as was stated in the chief organ of the Roman Catholics in this city, the *Tablet*. He believed no person would deny that the *Tablet* had such an authority and circulation as at least entitled it to be held as the exponent of the mind and will of the Roman Catholics on this subject. The rescript did not say—do this, or you will be imprisoned; but —do this, or you will become schismatical and rebellious, and exposed to the highest vengeance of God. Those to whom it was addressed were subjects bound by the provisions of the canon law, of which the Pope was the ultimate judge and administrator. When the Pope's mind was made up, he issued not a mere expression of opinion, which might be accepted or flung aside— not a warning which might be followed or neglected—but the sentence of the highest judgment-seat, a command that must be obeyed, and that could be obeyed only by a purely voluntary obedience. Was this power consistent with the full and free obedience of all the Queen's subjects? If the late Dr. Chalmers, for example, had given his opinion that such a law made by Parliament was a bad one, no great harm could ensue from the expression of such an opinion; but that which issued from the mouth of the Pope was to be received as a command, and would be so received by perhaps not less than three thousand bishops, priests, and other clergy within Her Majesty's dominions. He was not asking any measure to prevent this; his only object was simply to give no more authority to those who exercised the authority which they had in a manner so little in obedience to the temporal laws of this kingdom. He had said that there were in this country, and even within a very short distance from the place in which the House was now sitting, proofs of an intention on the part of the Church of Rome not to neglect any opportunity of enlarging and extending its authority. It appeared from a printed copy of the rules which he had in his possession, that the "Westminster Association and Confraternity" was established for the regulation of the elections to seats in that House, and for the maintenance of a perpetual intercourse between the electors and the elected, without reference to party, and solely with a view to the advancement of their religious interest. The association was declared to be "under the protection of Our Blessed Lady, the help of Christians, and St. Thomas of Canterbury," who was better known to the reader of English history by the name of Thomas A'Beckett. He thought it but right to state, at the same time, that the association also asked for God's blessing upon the undertaking. If that had been done before 1828, would it not have been considered as one of many reasons that would have justified the Legislature of that day in resisting any further concession of political power to those who were so able and so willing to use the powers they possessed to complete the aggrandizement of the Church to which they belonged? He did not blame them for it —he did not say that those were things which others in similar circumstances would not have done; but he said that it was a good reason for not giving further power to the Roman Catholics. Another objection to which he had called the attention of the House in the early part of the present year was the interference of the Church of Rome with respect to the marriages of members of that Church with members of a different Church. Very great confusion had arisen in the Prussian provinces on the Rhine, and also in France, risking the peace and happiness of families, in consequence of the Church of Rome insisting that the children of these marriages should be educated in that faith. Another proof of the aggressive character of the Church of Rome, of which the Bill upon the table was only an exponent, was, that she had gradually restored to her breviary the saints' days of those two Popes who had been most specially distingushed as interfering in the internal concerns of other kingdoms in former years. A hundred years ago no breviary, perhaps, except that printed at Rome, contained any reference to the saints' days of Pope Pius V.,

or Gregory VII. The latter, it would be remembered, was the Pope who had excommunicated the Emperor Henry IV., whilst the former, who had since been canonized, had excommunicated Queen Elizabeth, and released her subjects from their allegiance. The saints' days of those Popes had been restored to the breviary. He had now stated his general objections to the measure. He had stated that the statutes it proposed to repeal were either obsolete or had been already repealed, and that no instance of suffering on the part of any Roman Catholic under them had been adduced by the hon. Member who introduced this Bill, or else that they were those statutes which by the Roman Catholic Relief Bill were regarded as something like a compensatory security to the Established Church for the relief given to the Catholics in 1829. If those statutes were obsolete, or had been specifically repealed, he contended that the House would do wisely, as a matter of prudence, not to go into any further discussion on the subject; whilst, if they were intended as a security to the Established Church—if they were meant by his right hon. Friend who moved the Catholic Emancipation Bill to be anything but illusory, as a security to the Church of England and the Protestant character of the people—he called upon that House, not as a measure of prudence, but of principle, to reject the Bill; and for that purpose he should move that it be read a second time that day six months.

MR. HENRY DRUMMOND apprehended that it was the firm intention, not only of a considerable majority in that House, but of a vast predominating majority in the country, to give to the Roman Catholics, as well as to every denomination of Christians, the fullest and most ample toleration that words could give. He believed also, that it was the intention of a very large majority not to be seduced, under the word "toleration," to give supremacy, pre-eminence or distinction of any sort or kind either to that or any other denomination of Christians. If, then, he was right, as he believed he was, and in the faith of which he should continue until he was corrected by a decision of that House, it was upon that principle that he ventured to call their attention to the provisions of the Bill then before them, and to say whether those provisions did indeed give nothing more than ample toleration to those who they were agreed ought to enjoy it. He must confess that he did not agree with much that had fallen from the hon. Baronet who had just spoken. He could not think that the decision of the Church of Rome with respect to the colleges he had referred to was wrong. He did not think that the conduct of the Church of Rome with respect to mixed marriages was wrong. Let them consider what marriage was—that it was a contract between two parties to live together as man and wife; and certainly those who did feel the burden they had so taken upon themselves, would apply to some minister of God to give them his blessing on that new relation of life. But surely it rested with those who were ministers of God to define the condition upon which that blessing should be given, and he greatly rejoiced that there was a Church yet left upon the earth that had the faith to say, "Blessing is only with us." The necessary consequence of that Church believing herself to be the only Christian Church was the denunciation of all who differed from her, although it did sound strangely in loyal ears to hear our Queen denounced as a heretic. So far, indeed, from thinking the conduct of the Church of Rome, in respect to the cases of mixed marriages at Cologne, to which the hon. Baronet had referred, was wrong, he would recommend the hon. Baronet to read the dignified correspondence between the Pope and M. Bunsen on that subject, and not to trust to the garbled version of the German journals. But did this Bill relate to religious freedom only? The preamble of the Bill said—

"Whereas Her Majesty's Roman Catholic subjects do still continue to be liable, for or on account of their religious belief, practice, or profession, to sundry punishments, pains, penalties, and disabilities;"

—though he was not aware of any pains or penalties to which any man was subject touching his religious belief; and then the first clause enacted, that—

"So much of an Act passed in the 1st year of the reign of Queen Elizabeth, intituled 'An Act to restore to the Crown the ancient jurisdiction over the estate ecclesiastical and spiritual, and abolishing all foreign powers repugnant to the same,' whereby it is enacted, 'That if any person or persons dwelling or inhabiting within this your realm, or in any other your Highness's realms or dominions, of what estate, dignity, or degree soever he or they be, after the end of thirty days next after the determination of this Session of this present Parliament, shall, by writing, printing, teaching, preaching, express words, deed or act, advisedly, maliciously, and directly affirm, hold, stand with, set forth, maintain or defend the authority, preheminence, power, or jurisdiction, spiritual or ecclesiastical, of any foreign prince, prelate, person, state, or potentate whatsoever,

heretofore claimed, used, or usurped within this realm, or any dominion, or country being within or under the power, dominion or allegiance of your Highness, or shall advisedly, maliciously, and directly put in use or execute anything for the extolling, advancement, setting forth, maintenance or defence of any such pretended or usurped jurisdiction, power, preheminence, and authority, or any part thereof, that then every such person and persons so doing and offending, their abettors, aiders, procurers, and counsellors, being thereof legally convicted and attainted, according to the due order and course of the common laws of this realm, for his or their first offence shall forfeit and lose unto your Highness, your heirs and successors, all his and their goods and chattels, as well real as personal,' and so on, ' so far as the same related to or in any wise concerned Roman Catholics ;"

—and various other statutes should be repealed. Unfortunately, the Pope was not simply the head of the Church, but he did claim to be the temporal head of this and all other countries; and he was recognised by the Roman Catholics here as having a right to interfere in the politics of this country. ["No!"] He thanked hon. Members for that denial. But he held in his hand an address, moved by Mr. John O'Connell, and addressed to his Holiness Pope Pius IX., which contained these words :—

"Most Holy Father—We, the Catholics of Ireland, venture to approach the foot of your throne with sentiments of the deepest humility, the most profound veneration, and the most devoted gratitude and grateful affection towards your Holiness, recognising in you the true example of what the vicar of Christ should be upon earth, not only the faithful guardian and protector of his Church, but the guardian, protector, promoter, and illustrious champion of the rights, the liberties, and the legitimate and well-ordered privileges, political and social, of the universal family of man. It has been fitly reserved for you, most Holy Father, to vindicate—as nobly you are vindicating—the eternal cause of truth, in the great argument now debating among the nations of the earth. It is your high mission to strip oligarchic tyranny and democratic anarchy of their false pretences, and to establish in the face of day, and patent to the universe, the great fact, so redolent with happiness to man, and safe and peaceful progress to society, and with advantage to the sacred interests of morality and religion, that the increase of popular power, and the making of it an essential element in the governing of a country, is most entirely consistent with the maintenance of order and legitimate authority—nay, more, is accessory and eminently useful to that most desirable end."

Would any hon. Member say "No" to that? The document continued—

"We claim, most Holy Father, we claim—under the guidings and teachings of one now gone from amongst us, to whose mortal remains you so generously vouchsafed to do honour—we, Catholic people of Ireland, do claim to have commenced that good and glorious work your Holiness is so splendidly carrying out. We have been labouring to show, and you have been appointed by Heaven to establish, that the advancement of popular liberty has no necessary connexion with lawless and bloody revolution, or with any violation whatever of the rights of property, or danger to the peace and welfare of society."

And then, in reference to Ireland, it continued—

"Alas, alas ! prayers are all poor Ireland has now to give. Impoverished, unjustly subjugated, trampled upon, famine-stricken, helpless, she cannot bear you the aid that willingly her sons would give you with their heart's best blood. She can only look forward to hope for, and endeavour still to struggle for that restoration of her natural and inalienable rights which shall enable her to resume her place among the nations, and to perform, well and boldly, her part in the glorious struggle now progressing under the illustrious guidance of your Holiness, for the social and political regeneration of mankind."

But, what he called upon that House to consider, was nothing relating to the clergy of this or that establishment, but that the history of Europe had been one continued struggle of laymen against the usurped rights of priestcraft. The whole of their history, from the Constitutions of Clarendon down to the Reformation, had been one continued struggle to keep the priests in their proper places; and he called upon that House to consider what was the evidence given by a Roman Catholic relating to Ireland before a Committee of that House. The witness said—

"The Roman Catholic priests have aimed at supreme authority—all concessions only lead to further demands *ad infinitum*. He had heard in other countries that the priests were urged on ; but in Ireland the priests were almost the sole agitators."

There were several other extracts to the same effect. The witness, Mr. Wolfe Tone, said—

"You will find it easy enough to deal with the Roman Catholic laity, for their objects are those of simple constitutional Irishmen : but I confess I do not see my way with respect to the priesthood ; and I would not trust them as long as anything was to be gained."

[Mr. JOHN O'CONNELL : Mr. Wolfe Tone was not a Roman Catholic.] He was obliged for the correction. He had been reading, in the first instance, the evidence of a Mr. Carroll, and had read on, thinking it was all the evidence of Mr. Wolfe Tone. They thought they had got a great deal when they passed the law, forbidding Jesuits to come into England; but they had always been in England, and would come in just as often as they pleased. The Jesuits might, in certain things, have gone beyond others; but many of their doctrines and principles were the doctrines and principles of the Catholic Church. Upon the

doctrine of obedience, he held in his hand a proof of their constitution. Not only that, but they said that every man was bound to be as a carcass in the hands of his superior. They went on to say, that every one was obliged to receive the word of his superior, as if it were the word of our blessed Lord; and they took even this illustration, that a cookboy was to receive the word of the cook as if it were the word of the Saviour. They said first—

"Tous doivent s'efforcer d'observer le mieux possible l'obéissance, et d'y exceller, non seulement dans ce qui est obligatoire, mais encore dans tout le reste, et cela sur un simple signe de la volonté du supérieur, sans aucun ordre exprès."

And then—

"Quand quelqu'un entrera pour le service de la cuisine ou pour aider le cuisinier, il devra obéir à celui-ci en toute humilité, dans toutes les choses qui ont rapport à son office. Car s'il ne lui prêtait pas une entière obéissance, il y a lieu de croire qu'il n'obéirait non plus à aucun des supérieurs, puisque la véritable obéissance ne considère pas la personne à qui elle se soumet, mais celle pour qui elle se soumet; et si c'est pour notre seul Créateur et Seigneur qu'elle se soumet, elle doit voir notre Seigneur dans chacun indifféremment. Il ne faut donc point regarder si c'est le cuisinier ou le supérieur de la maison, si c'est celui-ci ou celui-là qui commande, puisqa'à penser sainement ce n'est à aucun d'eux qu'on obéit, mais à Dieu seul et pour Dieu seul, notre Créateur et Seigneur.

"C'est pourquoi il sera mieux que le cuisinier ne prie point celui qui le sert de faire ceci ou cela, mais qu'il le lui commande avec modestie, ou dise, 'Faites ceci, faites cela.' S'il le priait, en effet, il ressemblerait plutôt à un homme qui parle à un homme; or qu'un cuisinier laique priât un prêtre de laver les marmites ou de faire toute autre chose semblable, c'est ce qui ne paraîtrait ni convenable ni juste. Mais s'il commande, ou qu'il dise, 'Faites ceci, faites cela,' il donnera bien plus à entendre qu'il parle comme Christ à un homme, puisqu'il commande au nom même de Jésus Christ. Ainsi celui qui obéit doit considérer les paroles qui sortent de la bouche du cuisinier ou de l'un des supérieurs, comme si elles sortaient de la bouche même de Jesus Christ notre Seigneur, afin de se rendre capable de plaire à la Divine Majesté."

That was their doctrine of obedience, and every layman who dared to discuss with a priest any point of religion was silenced by that doctrine. They were commanded to obey—they were not permitted to reason. [Mr. SHEIL: That applied to the lay brothers of the Jesuits.] It was the doctrine of obedience throughout the Church. There was no difference of doctrine for others. But, if the right hon. Gentleman would like it, there was another authority, the *Theologia Dogmatica* of Livourier. For his own part, he would act towards the Roman Catholics as he would towards the laymen of any other communion; but he said that, for the aggrandisement of the priests, they had ever been, from the time of Constantine, when they first assumed temporal power, to this day, in a greater or less degree, the lords over God's heritage. He therefore earnestly prayed that House to reject this Bill in its present frame.

The EARL of ARUNDEL AND SURREY said, he had heard with great pleasure much of what had fallen from the hon. Member who had just spoken, in which he had asserted the rights of the Church; but he was not prepared to admit the fairness of the hon. Member's quotations with respect to obedience, and his further application of them to all members of the Roman Catholic Church. It was, he had almost said, ridiculous to compare the voluntary obedience entered into by the religious orders with the obedience exacted from the laity. And it must never be forgotten that the obedience even of the religious orders did not extend to the commission of the smallest venial sin: the whole earth must perish rather than the smallest venial sin be committed. The hon. Member had made the assertion that the Catholic laity admitted the temporal rights of the Pope. To support the statement he had read an extract from a resolution; but he (the Earl of Arundel and Surrey) had not heard the words in which this document was couched; and, indeed, he did not care for its purport. The Catholic laity did not acknowledge the temporal rights of the Pope, and this was sufficiently evidenced in the oath which was taken by the Roman Catholic Members of that House. The oath was, "I do declare that I do not believe that the Pope of Rome or any other foreign power, prince, or potentate, ought to have or has any temporal jurisdiction, control, or pre-eminence, directly or indirectly, within these realms." It was, therefore, unnecessary to say any more on that subject. Allusion had been made to the late rescript of the Pope in Ireland respecting the Roman Catholic colleges. The view taken with regard to that rescript was not exactly fair; it had been said that it was an interference with an Act of Parliament. The Act of Parliament founding the colleges in question was not compulsory. Supposing that Parliament had made laws directing that a certain number of churches should be built,

and that the whole of the Roman Catholic population should be forced to attend divine service in those churches, the Pope, as a matter of course, would at once issue a rescript forbidding such attendance, and that rescript would most certainly be obeyed. In such a case, however, a just complaint might be made that the Pope had interfered with an Act of Parliament, that Act of Parliament being essentially of a compulsory character; but when their law left it optional with those for whom it was intended whether to accept or to reject it, it was absurd to say that the Pope's prohibition was an interference with the decrees of the Legislature. He could not venture to predict what course would for the future be pursued in the matter of those colleges; he did not know that any concession would be made, on one side or the other, which was likely to produce the results so anxiously looked for by the friends of the colleges; and he was not aware that any compromise was in contemplation or was probable. It was altogether a different question whether the establishment of the colleges would be beneficial or otherwise; but he would say, as a Catholic, rather than that the bishops and priests of his Church should yield in the conscientious exertion of their spiritual rights either to the diplomacy or to the menaces of the civil power, he would prefer that the Catholics of the world should be driven forth as the Jews were by the Roman soldiers of Titus—that the Pope should be driven from the Vatican to take refuge in the Catacombs—and that the ploughshare should be passed over the ground where now stood the altars of St. Peter. The hon. Member (Mr. Drummond) had said that ever since the recognition of Christianity, the history of religion had been one perpetual exertion of the laity in resistance to the usurpation of priestly power. But was the civil power to be predominant? Was there to be no line drawn? It did not follow, because these was separation and equality, that there was danger from priestcraft. No one would deny that the Church of God ought to be left independent in her own jurisdiction; and it was impossible a greater catastrophe could occur to a Christian than to see his church submitted to the control of the civil power. The bull "*In cœnâ Domini*" had been referred to; and he was the more anxious to allude to it as an explanation given in another place was not satisfactory. It was a bull published annually, and it had not been published since the time of Clement the XIVth—since 1774. It was originally published in this country in the 14th century. It was a bull against pirates, different descriptions of bad men, and heretics. The Church of England, by her canons of 1603, still in force, excommunicated all without her communion. What was good for one, was good for the other. It had been said that the Church was aggressive. Why, all churches were so. He would not give twopence for the church which was not so. If it believed that it was in the possession of the truth, why should it not make aggression on error? Why should it not evince an anxiety that others should embrace the true faith, as well as itself? He looked upon the aggressions of a church as a mark of its sincerity. Allusion had been made to the circumstance of this country having been divided into districts, by the Catholic Church, for ecclesiastical purposes; but he was at a loss to understand on what plea that fact could be interpreted into a cause of offence. Other bodies, for example the Wesleyans, had likewise apportioned the country into districts for ecclesiastical purposes, without reference to the civil power, and no one had dreamt of taking umbrage at the proceeding; and he did not see why that which was done with impunity by one class, should be alleged as an offence against another. With regard to the Bill, he would support it. He was of opinion that to prevent men from joining together to yield obedience to the evangelical councils of perfection was unwise, injudicious, and intolerant, and ought not to be permitted in any Christian country. If the laws which had been directed against the Jesuits and regular clergy were, as some hon. Members contended they were, wholly inoperative, why not sweep them away? What good purpose could be insured by retaining on the Statute-book laws which did not accomplish the object which was in the contemplation of those who enacted them? If, on the other hand, they were really effeetive, and did, in point of fact, exclude Jesuits and the regular Catholic clergy from this country, they were not only an indignity but an injury, and an injustice to the Catholic community, who had not anything like an adequate number of priests to supply their spiritual requirements. Their priests had been struck down in great numbers by fever—many of them had fallen victims to cholera when that dreadful scourge visited this country—and many

more of them would no doubt fall if unhappily it were again to visit it. In one word, the Catholics wanted more priests—they ought to have them—and any measure which would prevent their obtaining them must be a burden and an injustice.

MR. H. WALPOLE would not wander from the subject into any digression on the discipline of the Roman Catholic Church; and in the observations he should offer to the House he would attempt to conciliate rather than to exasperate. The Bill was the only question they had to entertain; and, if he had understood the proposition aright, there were but two principles to be discussed, the one of which it was useless to consider, and the other of which he believed to be objectionable. The first was, whether they should repeal the penalties and disabilities of certain antiquated statutes supposed to exist. It was useless to consider this principle, for if those antiquated statutes did operate, no one could be more willing than he would be to repeal each and all of them; and before he sat down he hoped to be able to convince the House that there was no necessity for going into Committee, so far as those statutes were concerned. With regard to the second principle now involved, whether they ought to repeal any of the provisions in the Act of 1829, he would stand on that point, and he would argue against the proposal on a ground which might be equally acceptable to Protestants and to Roman Catholics—that for the sake of religious peace it was but right and reasonable there should be an end of all further sectarian contest. This Bill proposed to deal with eight different statutes, and as to the first six of these, as he would show, not one of the penalties or disabilities therein contained now remained. The first was the 1st of Elizabeth, c. 1; that statute declared that if any person maintained the authority or jurisdiction of any foreign prince within these realms, he should be liable to certain penalties, the first of which was forfeiture of goods and chattels; the second, *præmunire;* and the third, punishment for high treason. The last two penalties had been repealed by the 7th and 8th of Victoria, c. 102; and the first, that of forfeiture, had been repealed by the Bill of the right hon. Baronet the Member for Tamworth, 9th and 10th of Victoria, c. 59. It was a misdemeanor at common law to violate a statute, if the statute continued operative; but when the penalties fixed in an enactment were repealed, every lawyer knew that everything depending upon that enactment became void. The supremacy of the Queen did not depend upon these clauses or upon another clause in the Act of Elizabeth, declaratory that no usurped authority should have jurisdiction within these realms; it depended upon common law, which was common sense, that the supreme power in the kingdom should be supreme, notwithstanding the interference of any prince from abroad. The 13th of Elizabeth, c. 2, prohibiting bulls from coming into this country, had been repealed by the 9th and 10th of Victoria, c. 59, so far as related to penalties for the introduction of such instruments into the kingdom; but, at the same time, no sanction or legality was given to bulls. They were called bulls of consolation or absolution, absolving any Roman Catholic subject who forsook "his due obedience to the Queen (in the words of the statute), and denied Her lawful authority;" and it was clear that no Roman Catholic could now wish such a bull to be admitted. The 13th and 14th of Charles II., c. 4, was repealed by the 9th and 10th of Victoria, c. 59, so far as related to the offence of wittingly and willingly being present at any other form of common prayer than our own, and, in point of fact, this offensive clause was not in the 13th and 14th of Charles II., but in the 5th and 6th of Edward VI., c. 5, which again had been repealed by the 7th and 8th Victoria, c. 59. The 25th of Charles II., c. 2, requiring all persons entering on office to take certain oaths not permitted by the Catholic religion—to accept of the sacrament—and forbidding the education of children by Roman Catholics—had been repealed by the Test and Corporation Act, 9th George IV. as regarded persons being admitted into office; by the 10th George IV. as to taking the sacrament; and by the 7th and 8th Victoria, c. 102, as to the education of Roman Catholic children. The next Act proposed now to be got rid of was the 30th of Charles II., c. 2, disabling Papists from sitting in either House of Parliament; but this had also been already repealed by the 10th George IV., c. 7, and the 9th and 10th Victoria, c. 59; and with respect to the last statute, the 7th and 8th William III., c. 24, requiring certain other oaths to be taken by Roman Catholic barristers, under particular circumstances, that had been superseded by the 34th George III., c. 32. Each of these statutes, therefore, was inoperative; and he thought it was misleading the House

to ask it to consent to a Bill in which those several Acts were recited. He now came to that statute of George III., intended to be repealed, called the Roman Catholic Relief Act; and here he took his stand as an opponent of the Bill. There were, he conceived, three reasons why it was neither right nor reasonable to make at this period any material alteration in the Act of George III. They had, first, to inquire if it was expedient to allow the Roman Catholics to exercise the rights and ceremonies of their Church in public places; next, if they would permit any person holding a civil or judicial office to wear the insignia of that office in any places of worship excepting such as were in connexion with the Established Church; and, thirdly, whether it was wise to grant to the monastic orders of the Roman Catholic religion introduction and indulgence in this kingdom. He thought that the fact of religious ceremonies being exercised by the Roman Catholics in public places would occasion irritation to the general feeling of the community. Dissension would be thus assuredly promoted between the Roman Catholics and the Protestants, and it seemed to him that no one desired to see such proceedings. There was no principle of toleration involved; and why should they attempt to conciliate those with whom they differed, by giving offence to those with whom they agreed? With regard to the next point, he did not know why an official or dignitary should desire to wear the insignia of his office in any place of public worship: such a parade accorded little with the humility which, on such occasions, should be the characteristic of every man's demeanour; and, instead of extending this so-called privilege to those who had it not, he should rather be inclined to take it away from those who had it. If, however, the practice was to continue, and if the Established Church was to remain predominant, it would be hardly decorous for the authorities of that religion to wear the insignia of their authority anywhere but where the ritual of the Establishment was complied with. These were two reasons why he should object to the Bill; and he now proceeded to the third proposition. He was well aware that this was a part of the Bill which the hon. Gentleman (Mr. Anstey) and those whose religious opinions were identical, were exceedingly anxious to carry. He wished to be understood, however, as not opposing the Bill from any feelings of religious intolerance. He resisted, because toleration did not require that he should concede—because the fullest exercise of his religion was not prohibited to the Roman Catholic—and because he was convinced that the extra liberty demanded would not harmonise with the spirit and temper of a Protestant Government. When laws like the Roman Catholic Relief Bill had been passed, it was well to consider them as permanent and final. If they encouraged a contrary conviction, they afforded opportunities to the discontented and seditious to rake up all kinds of animosities, and to re-create causes for contention which would otherwise be consigned to oblivion. If such laws were not spoken of and looked upon as final, the Legislature would be constantly petitioned to go further than they had yet gone; there would be perpetual entreaties for modifications and amendments; and thus they would again rouse the dangerous spirit of religious rivalry under the mistaken colours of religious zeal, withholding satisfaction from the one party, and security from the other. They could not show that the Roman Catholic Relief Act was wrong in principle or unjust in operation, and he did not, therefore, see any necessity for repealing or altering it. Locke had defined toleration as the permission and enjoyment of every political, civil, and social right which did not prey upon the public peace, or interfere with the wellbeing of the State; but the same philosopher pointed out that toleration could not safely be given to any society which by its constitution delivered itself up to the control and direction of a foreign potentate. If, he said, such toleration be granted, we enlisted the people of the country as soldiers against the Government. And if that definition were just, he (Mr. Walpole) asked, was it not reasonable that an association of men such as the Order of Jesus should, as a matter of State security, be deprived of admission into this country, when they did, *ipso facto*, "deliver themselves up to the authority of a foreign Power?" This was a society of which the laws were peculiar to itself; it was a society under the superintendence of a general who must reside abroad; it was a society which devoted itself, as a matter of conscience, to the conversion of all those whom it differed from, and regarded and treated them as heretics and unbelievers; it was a society inveterately opposed to the Protestant religion; it was a society which was devoted to obtain the ascendancy of its own opin-

ions above all others, and therefore could not rest satisfied until it had attained that object. Was it, then, reasonable that a society of this kind should be allowed to come into this country for the express purpose of combating our opinions and system as contrary to its own? And if such a society were so allowed to come in, could it possibly operate for the wellbeing of the people? Other countries, he reminded the House, regarded this matter in a very different light. How many countries had abolished or expelled this society from their precincts? France had done so, Spain had done so, Sicily had done so; and even the Pope himself had issued his bull against them in 1773; and in that bull the society were said to have applied and used maxims noxious to morals, and that unless it was suppressed, the Church of Christ never could recover true and lasting peace. Those were the words of that remarkable bull. He asked why that society was now to be introduced into this country, to bring along with it confusion and religious differences? If it were necessary to the Catholic religion, he would not enforce this opposition; but they were not necessary. If Roman Catholic States had thought it fit and found it expedient to abolish and expel this society, why, he asked, should we, a Protestant country, give admission to its members? Such were briefly the main objections he entertained to this measure; and the House would observe that those objections rested on two grounds: the first, that two-thirds of the Bill were useless; and the second, that the remaining third was decidedly objectionable. Further, he objected to this measure, because when a settlement of a great question had been made, it was impolitic to disturb it; and upon this point he might quote the authority of the noble Lord at the head of the Government for not proceeding with this measure; for when the noble Lord came into power in July, 1846, in answering a speech made by an hon. Member whom ill-health prevented from being at present in his place—the hon. Member for Finsbury—the noble Lord, in one of those general propositions which he often so ably laid down, containing in a small compass a large constitutional maxim, said, that when a great measure was once settled, it was wise in that House, wise in the Legislature and Parliament, to abide by that settlement; "for," the noble Lord added, "the advantages to be gained by the alteration are not equivalent to the irritation consequent upon the revival of the subject." These were his (Mr. Walpole's) chief reasons for opposing this measure. He believed that the maintenance of the last great settlement of this question was necessary in this country for the preservation of peace. He conscientiously believed that unless that settlement was maintained intact, religious peace could not exist in these realms. He believed that if anything would enable us to live in harmony with one another, without the renewal of religious animosities and exacerbation, it was that settlement. He believed that that settlement would not only prevent those animosities, but also that aggression on the one side which was always sure to be met with retaliation on the other; and that it would give us a chance—perhaps the only chance—of maintaining that harmony and concord which ever ought to prevail among Christian men; he did not mean harmony in matters of faith or doctrine, because that he knew to be utterly impossible while man was man, with such various feelings, such diversity of habits, and such different degrees of knowledge and understanding; but he meant that better kind of unity which it was the common interest and duty of all to promote and uphold—the unity which arose out of mutual charity, mutual kindness, mutual goodwill. To maintain the principle, he thought that the best way was to act upon the maxim of the noble Lord, and to abide by the settlement of this question which took place in 1829, unless it could be shown that there was some intolerable evil which must be remedied. If that settlement were not maintained, they would imbue the Protestant minds of this country with the impression, and would induce the people to believe, that all the concessions that had been made were only used as arguments for still further advances; that they were aiming at more than they were willing to allow; that in asking for toleration, equality was meant; that in asking for equality, establishment was intended; and that in asking for establishment, nothing would really give satisfaction but ascendancy.

Sir G. GREY: I rise to occupy the time of the House but a very few moments while I state, as briefly as I can, in answer to the appeal of the hon. and learned Gentleman opposite, the reasons why I cannot join him in his opposition to the principles of this measure. In the first place, however, I must say, that this is

not a Bill to which I attach any great weight and importance; for I do not believe that the laws which are sought to be repealed are laws which do in fact impose any practical grievance on our Roman Catholic fellow-subjects. I feel, however, bound at the same time to state, that the views which I expressed to the House at an earlier period of the present year, on the occasion of the discussion upon a similar Bill brought forward by my hon. and learned Friend then the Member for Kinsale, remain unaltered, namely, that it would be wise and expedient, acting in that spirit of mutual kindness and charity which I, equally with the hon. and learned Gentleman opposite, should rejoice to see animating the professors of all creeds, to remove from the Statute-book those Acts, practically and substantially repealed, as the hon. Member for Oxford stated, and which the hon. and learned Gentleman opposite believes to be for the most part literally repealed, but which, nevertheless, by remaining actually upon the Statute-book, the penalties only being remitted, do tend, as I think, to inspire and keep up these feelings of mutual repugnance and aversion which the hon. and learned Gentleman himself has, in language with which I most cordially concur, expressed his ardent desire to see abolished. I agree with the hon. and learned Gentleman that this Bill consists of two parts; the first being that which proposes the repeal of certain obsolete statutes; and the second, that which proposes to repeal certain portions of the Act of 1829. With respect to the first part, when the hon. and learned Gentleman observes that these ancient statutes were practically and sufficiently repealed by the Act of the late Government of which the right hon. Baronet the Member for Tamworth was the head, I must remind that hon. and learned Member, that this very year the right hon. Baronet, himself one of the authors of that Act which in the opinion of the hon. and learned Gentleman has removed all the grievances which press upon the Roman Catholics, gave his cordial concurrence and support to the second reading of the Bill proposed by Mr. Watson. I must also remind the hon. and learned Gentleman, that the object of the first part of this Bill, namely, the repeal of these old statutes, is in accordance with the recommendation of the Criminal Law Commission; and that a distinction was drawn in the House of Lords between the repeal of the Acts themselves, and the repeal only of the penalties inflicted by those Acts; and it was contended that while the Acts remained on the Statute-book, a breach of them would be a misdemeanor at common law. The hon. Gentleman opposite, the Member for Surrey (Mr. H. Drummond), has adverted to the words of this Bill, and said it was proposed to repeal the Act against maintaining the authority of a foreign potentate, and assumed that that authority was exclusively of a civil nature; but if the hon. Member will have the goodness to look at the Act proposed to be repealed, he will see that the words are directed against those who maintain or defend the authority or jurisdiction, "spiritual or ecclesiastical;" and the hon. and learned Gentleman himself has admitted that the Roman Catholics maintain the spiritual jurisdiction of the Pope. Thus what is considered the spiritual duty of the Roman Catholic, is prohibited by the Act proposed to be repealed; and although the distinct penalties under that statute are doubtless abrogated, yet the Act itself remains upon the Statute-book. As to there being no practical grievance, I think that although no such grievance may arise from these Acts, we are bound to defer to the feelings of our Roman Catholic fellow-subjects, and to remove what may be offensive to them, and which, it is admitted, has no practical or beneficial effect. With respect to the second part of the Bill, I must repeat what I have before said, that, although I may not be disposed to go the whole length of the doctrine of the hon. and learned Gentleman as to the finality of the Bill of 1829, yet I still think that at an early period—within a few years—of the settlement of a great question, it is not in general wise or expedient to attempt to disturb that settlement. Therefore I do not give my assent to that part of the Bill which proposes to repeal the provisions of the Act of 1829. At the same time we might, perhaps, consider certain parts of that Bill with a view to see if the securities which now exist, with reference to certain religious orders, might not be removed, and others substituted of a less vexatious nature; but I do not think that we ought to dispense with all securities, and I am not one of those who sympathise with persons who view with satisfaction the increase of those religious orders. With regard to religious processions, I entirely agree in what has fallen

from the hon. and learned Gentleman, and object to the celebration of Catholic rites in any public place. That objection was made last year, and the hon. Gentleman who then had charge of the Bill undertook to meet the objection. The hon. Gentleman who has now brought forward the Bill, has introduced a clause for this purpose which does not go perhaps to the full extent which is required, but which is evidently intended to meet that objection. I do not agree in the opinion that on the second reading of the Bill, we are to oppose it on account of verbal objections, or deal with a Bill on the second reading as if the third reading had been moved; that is a doctrine which I never remember to have heard stated so broadly as I have to-day by my hon. Friend the Member for the University of Oxford, and of which I cannot approve. I think the clause introduced an improvement. It may still require amendment; but we should not object to a Bill because there are clauses in it that require alteration, and which can be properly considered in Committee. I hope I have satisfied the hon. Gentleman now as to the course I shall take; and if he asks for the opinion of the House, I will vote for the second reading.

Mr. PLUMPTRE begged to contradict a statement which had been made in the course of the debate by a noble Lord opposite (the Earl of Arundel and Surrey). That noble Lord had said the bull *In Cœna Domini* had not been published in this country since 1774; but he would assert that it was published subsequent to the passing of the Relief Bill in the year 1829. He considered that those aggressions of the Church of Rome might have the effect of rousing the Protestant feeling of the country in a contrary direction; and he hoped they would have that effect. They were going on step by step since those concessions were first made, and concession had not been anything else but the parent of demand. The Bill at present before the House was part of that system. He firmly believed that the real aim of it was to give equality; and if equality were once attained, they would not be satisfied until they acquired ascendancy. He regretted that men who called themselves Protestants should countenance such a system; and believing it was one of aggression, and that the Roman Catholics had nothing to complain of as regarded the exercise of their religion, he should give his hearty opposition to this measure.

The Earl of ARUNDEL and SURREY explained. He had asserted strongly that the bull *In Cœna Domini* had not been published since the year 1774. That assertion was denied by the hon. Gentleman who last addressed the House; and he again denied the statement made by the hon. Gentleman. He had now only to say that he had merely stated what was his full conviction; but if he found on inquiry that he was mistaken, he would communicate the fact to the hon. Gentleman. He would say he believed the bull had never been directed against the Queen of this country. It was directed against heretics, but was not directed against the sovereign power.

Mr. J. O'CONNELL would have contentedly left the discussion on this stage of the Bill to the enlightened Protestant Members of that House, had not the allegiance of himself and his Roman Catholic fellow-subjects of these realms to Queen Victoria been denied. He rose then for the purpose of stating that he rejected all sort of temporal allegiance to the Pope or any other foreign potentate, as strongly as he rejected all spiritual allegiance to Queen Victoria. With regard to what hon. Members had said as to the vows of obedience to ecclesiastical superiors, which were taken by the members of religious orders in the Catholic Church, he wished the House to bear in mind that that vow of obedience did not extend to obedience in matters that the members might consider as involving a breach of the laws of virtue; they were not compelled to do anything which they might deem to be an infraction of the law of God. The vows which they took imposed upon them the responsibility of obeying all the orders of their superiors, however revolting they might be to human pride, as long as they were not infractions of God's laws. The hon. Member for East Surrey had spoken on the mixed marriages question. Now, the Catholic clergy did not want to assert that such marriages were invalid. They recognised them as valid; but they refused to give their spiritual sanction to the principles of such marriages. The Catholic clergy of Prussia had, in some instances, attended such marriages as civil ceremonies. They recognised the efficiency of them as civil contracts; but they certainly did refuse to extend to them their spiritual sanction, and for that they were persecuted. The hon. and learned Member for Midhurst (Mr. Walpole) began his speech by saying that

it was useless to keep down the Jesuits in this country by statutes; that they would continue to increase in spite of the Acts of the Legislature to keep them down; and yet, towards the close of his speech, he argued for their exclusion. He perfectly agreed with the hon. and learned Member; and he was sure that the House and the country must by this time have found that the statutes against their increase were and must be inoperative and entirely defeated; and he was, therefore, surprised that the hon. and learned Member advocated the maintenance of such useless provisions, which were operative for no other purpose than that of giving insult and offence to the Roman Catholic subjects of Her Majesty. The hon. Gentleman had also spoken on the legal points of the question raised by the introduction of this Bill. Now, he did not mean to place his legal opinions against those of the hon. and learned Gentleman; all he would say at present was, that they had conflicting opinions of lawyers on the subject of the 13th of Elizabeth; and it would be but fair on the part of the House to allow this Bill to go into Committee. A clear conclusion might be come to on that point. He, as a Catholic, most fully agreed in what had been said by the hon. and learned Member on the subject of religious processions. He thought that nothing was more to be deprecated, even by Catholics themselves, than the bringing into the streets of that object which they held in adoration, or of those which they held in reverence, which might be dishonoured by and must necssarily give offence to their Protestant fellow-subjects. On those grounds he should be prepared to sanction the introduction of a most stringent provision in this Bill against such processions. He was very happy to hear an hon. Member opposite stigmatise the bull *In Cœna Domini* as a mere *brutum fulmen*, which ought to be got rid of. Well, now if that bull was a mere *brutum fulmen*, was it not inconsistent to retain on the Statute-book penalties in relation to it, which served no other purpose than that of giving offence to a large portion of the subjects of these realms? With regard to the details of this Bill, he should not enter into a discussion of them at present: the Committee—which he hoped the House would allow it to pass into—would afford a more fitting opportunity for so doing. But he could not pass by what had been said by the hon. Member for the University of Oxford. That hon. Gentleman had challenged the advocates of this Bill to produce a single case in which an indictment had been laid during the last 150 years against any party for a breach of those parts of the penal statutes which it was the purpose of the Bill to abolish. Why, he would ask that Gentleman whether the absence of any such indictment during so long a period, was not an additional reason why they ought to get rid of the inoperative portions of the penal laws against Catholics? With regard to the late decision of his Holiness the Pope, respecting education in Ireland, he was glad to hear the right hon. Baronet express his opinion that that was by no means an invasion, on the part of his Holiness, of the temporal authority of the Queen. The Catholics of Ireland had reverently looked forward to the Pope to give such a decision as should enable them to guard the education of their youth against any danger to their faith or morals, and to secure them against the teachings of infidel and unchristian professors. The Pope had every right to give his decision on such matters; and by that decision the Catholics of Ireland would most implicitly abide.

Mr. NEWDEGATE rose merely for the purpose of making one observation. There appeared to him to be a difference between the opinions of the hon. and learned Member for Midhurst, and the right hon. Baronet at the head of the Home Department, with reference to the efficiency of the various enactments proposed to be repealed by this Bill. Now, if his hon. Friend the Member for Midhurst was right in his opinion on the legal view of the question, he cordially agreed with him that it was most unwise for them to go into Committee upon this Bill for the purpose of effecting a repeal of obsolete provisions. But if the right hon. Baronet at the head of the Home Department was right in his opinion that those provisions were still operative in common law, he begged the House to consider what it was about to do. What were the provisions of the Act of Elizabeth, which this Bill proposed to repeal? They excluded the power of any foreign potentate. But if they sanctioned the passing of this Bill, they would, by so doing, declare that it should be lawful for any person or persons dwelling in this realm, or any other of Her Majesty's realms or dominions, to teach or preach, in words or acts, advisedly and maliciously, the maintenance of power, spiritual or ecclesiastical, by any foreign

prince or potentate. They would, if they passed this Bill, directly sanction the introduction of such foreign power. He, therefore, must say, that it was with deep regret that he saw the right hon. Baronet at the head of the Home Department declare his belief that, as those enactments were operative under the common law, he was prepared, at all events, to take into consideration in Committee this attempt to remove them. This was really a very serious matter. It made him believe that the reports which he had heard were true, as to the Government having a secret agent at the Court of Rome—with which, by the constitution of this country, they were forbidden to have any communication. He begged the House to consider another point. It had been denied that the Pope exercised any ecclesiastical power beyond the limits of his own dominions. Now, he had referred once before to a most important document, the encyclical letter of the present Pope on his inauguration. And what did his Holiness himself say in that document? After claiming for himself all those powers which his predecessors had exercised—after claiming for himself an infallible authority—he said he trusted that all princes, remembering in their piety and religion, that the power which they possessed in the government of the world was given to them with the view that they might thereby promote the honour of the Church of Rome, which he declared to be the only Catholic Church; and that, so long as they did that, they should hold their kingdoms and powers in undisturbed possession; so that the Pope declared that the conditions on which they held their powers were the maintenance of the dignity and integrity of the Church of Rome. He had no wish to intrude upon the House; but, after the specific declaration of the right hon. Baronet, he must beg the House seriously to consider before they allowed the Bill to go into Committee, whether this Bill, if passed, would not sanction the introduction of a foreign Power. He wished for one moment to advert to the other provisions of this Bill. If the enactments which it proposed to repeal were operative under the common law, they were about to go into Committee for the purpose of repealing them, and thereby legally exempting all practitioners at the bar from taking those oaths which were now required to be taken, and which were considered essential to the safety of the State. They were about to sanction the legalization of the wearing of habits, by members of orders in the Roman Catholic Church, in public. He most willingly and most cordially concurred in the eloquent appeal which had been made by the hon. Member for Midhurst, that that House would not, for any such reason, for any such object as the right hon. Baronet opposite thought was contemplated by this Bill, disturb a long-settled question, the unsettlement of which might cause years of religious animosity.

Mr. W. E. GLADSTONE: In some respects, Sir, it is my misfortune that I am unable to give the same vote on this measure as my hon. Colleague; and I should not think it respectful to him, nor should I think it respectful to the distinguished constituency which I have the honour to represent, if I gave my first vote upon a subject necessarily interesting to them—although I have no means of knowing their feelings upon it—without stating the grounds upon which I give that vote. I must say, that there are several arguments of a general nature which I cannot but think ought to be set aside in arriving at a decision on this subject. Frequent allusion has been made to the aggressive activity of the Church of Rome in this country. I am necessarily among those who deplore any consequences which that activity may have produced; but I cannot think it by any means either the obvious or just consequence of such regrets that we should be impelled to a precipitate conclusion upon a measure like the present. We must look at that measure upon its own merits; and we must look with jealousy at any argument which would lead and induce us to stop religious activity by a political enactment. In justice, as well as in common sense and prudence, we ought to look to the zeal, fidelity, energy, and activity of those of our own profession for the defence and dissemination of our principles, as the only means upon which we can expect a blessing, and as the only legitimate and proper means for arresting the activity of the Church of Rome, or of any other religious body. Then it is said that there is no practical grievance. Here again I consider that, although not devoid of weight, this argument cannot be deemed so conclusive as to influence us upon this question. Here is a large body of our fellow-subjects who feel a great interest in the matter now before us, who do not allege, at least with respect to a large portion of the Bill, any practical grievance,

but who do allege wounded feelings; and it appears to me undeniable, that the fact of these statutes wounding the feelings of a portion of our fellow-subjects, in default of any positive object to be gained by them, tells all the other way, and affords a good reason for their repeal. But it has been said by an hon. Gentleman behind me, to the excellent temper and conspicuous ability of whose speech I must bear my willing testimony, that there is a danger of re-awakening religious clamour upon the subject by fresh legislation. I confess that, although there may be such a danger, owing to a variety of circumstances, yet upon the whole I still feel that we must look to the justice of the provisions contained in the Bill. If those provisions are unjust, it is not necessary to resort to the fear of clamour in order to insure their rejection; but if they are just, we must trust, as we have often trusted, and seldom in vain, to the good sense and good feeling of our fellow-countrymen, and do what is just, in spite of the apprehension of clamour. Having disposed of these general considerations in a manner which seems to me conclusive, I shall now divide the few remarks I have to make upon the Bill into two parts: first, with reference to that part of the Bill which proposes to repeal the ancient statutes; and, second, with reference to that part which proposes to repeal a portion of the Act of 1829. With respect to the first part, which proposes to repeal the statutes or portions of the statutes antecedently to 1829, I confess I should have been glad to hear from the law officers of the Crown, or from the right hon. Baronet at the head of the Home Department, a more detailed statement of the present condition of the law exactly as it stands. I feel that there are a good many points touched by the first or earlier portion of the Bill, upon which I, for one —and I have attentively listened to this debate, as well as sought other sources of information — am greatly in the dark. With respect to that part which touches the Act of Supremacy, the 1st of Elizabeth, c. 1, I confess, until I hear the argument of the hon. Member for Midhurst answered, I cannot think the hon. and learned Gentleman (Mr. Anstey), entitled to ask us to go into Committee upon it. The Bill quotes, *verbatim et literatim*, the clause of the Act of Supremacy which the hon. and learned Member seeks to repeal. Now, what is the structure of that clause? I need not read the clause; it will be sufficient to refer to its structure. It has been contended, on the one side, that the penalties of that clause have been repealed, but that the offence remains. The clause, as it stands, seems to me to read thus: "If any person shall maintain or defend the jurisdiction of the Pope or any other foreign Power in this country, and shall be thereof lawfully convicted and attainted according to the due order and course of the common laws of this realm, he shall suffer such and such penalties." If, however, the penalties be repealed, as has been stated, how does the matter then stand? Why, then there is a half sentence left on the Statute-book without any meaning whatever—that you have a law which says, "That if any person shall maintain the jurisdiction of the Pope in this country," —and nothing more. If I am right in this construction of the clause, it does more than the hon. and learned Gentleman seeks to do, because if it be true that the penalties are removed, then that involves *ipso facto* the destruction of the whole clause, not only as respects the Roman Catholics, but as respects the members of the Church of England, and all other bodies whatsoever. I think, therefore, the hon. and learned Member will not be able to draw from this source any reason for our going into Committee on this part of his Bill. If it be true that the repeal of the penalties in this clause does not touch the offence at common law, as regards the question of the supremacy of Her Majesty, the hon. and learned Member had better leave the matter as he found it. With respect to the other Act of Elizabeth (13th of Elizabeth, c. 2), against the bringing in and putting in execution of "bulls, writings, or instruments, and other superstitious things from the See of Rome," the right hon. Baronet the Secretary for the Home Department has stated in general terms that the repeal of that Act was recommended by the Criminal Law Commissioners. I apprehend that in respect to this particular law the right hon. Baronet is in error. I believe that we did not have the authority of the Criminal Law Commissioners for going into Committee on this particular Act. I believe, also, that this law as it now stands simply prohibits the bringing in, not all bulls from the See of Rome, but only such as impeach due obedience to the Queen. If so, the law as it now stands, although not absolutely necessary for the safety of the country, is by no means an unreasonable law, and affords no sufficient ground for new

legislation. But I think we all feel that the substantial question before us relates to the Act of 1829. The great and important question in the view of every Gentleman who has addressed the House is, whether are we prepared or not to touch any part of the settlement effected in 1829? For my own part, although sensible of the force of those considerations which make it exceedingly unwise, for the sake of a minute although clear benefit, to interfere with a recent comprehensive settlement of a question that has been long contested, yet, upon the whole—placing myself, or endeavouring to place myself, in the position of our Roman Catholic fellow-subjects —I do think that we cannot, with justice, and with due consideration to them, or with a full recognition of the principles upon which Parliament professes to act, adhere to the entire settlement of 1829. My hon. and learned Friend referred to the provisions of the Act of 1829, and to the compensatory securities laid down in that Act, with the qualifications that accompanied those terms; but surely the qualifications must be very light indeed, and a person must take a very sanguine and exaggerated view of the effect of those provisions, who can seriously propound them as securities to any vital, or even to any great, extent to the established institutions of the country. In my estimation, the hon. Gentleman who introduced this measure has shown good ground why we ought to go into Committee, in order that the fullest consideration may be given to the provisions of the Act of 1829; and in so expressing myself I believe I am only speaking the sentiments of the right hon. Gentleman the Member for Ripon (Sir J. Graham), on a former occasion, when he was a Member of the Government to which I also belonged. The first proposition calling for notice is that which prohibits Roman Catholic ecclesiastics to exercise the rites and ceremonies of their religion, or to wear the habit of their order, except within some place of worship for the exercise of the Catholic religion. I concur with those who think that the Clause No. 2, on this subject, is not broad enough as a base of legislation. I think that the law as it now stands is too narrow and circumscribed, and that we should give further liberty, without prejudice to the public peace, or incurring the risk of offending the feelings of the country with respect to the performance of the religious rites of the Roman Catholic religion. With regard to the second provision, that which forbids the use of any insignia of office in a Roman Catholic place of worship or elsewhere, except in a place of worship belonging to the Established Church, I am not prepared to consent to the repeal of that law. I do not regard it as an important matter whether these insignia are or are not carried to the church under any circumstances. I do not think it of vital importance whether the insignia of temporal office be or be not carried into the house of God. That is a question upon which a difference of opinion may fairly exist; but I do say, that if you continue the present Establishment, if you continue to the Church the position and standing of an Established Church, then I think the law is one in harmony with the existence of such an Establishment. I think, that carrying the insignia of office into the Established Church, is an appropriate and inoffensive acknowledgment of that Establishment, and that the practice should not be extended to others. We now come to the question that is unquestionably the most important on this subject, I mean the admission of religious orders into this country. I know well that we must look upon these religious orders in a religious and spiritual sense as in the highest degree antagonist—that we must expect from them the most active aggression against all that characterises our system of religion, or that does not belong to their own; but I cannot make up my mind that it is a sound or reasonable ground to exclude from this kingdom all persons, subjects of Her Majesty, and otherwise entitled to reside in it, for the simple reason that they belong to one of those religious orders. The hon. Member for Surrey has quoted with great effect some of the rules and principles that are incumbent on the Jesuits, and then argued that the whole of these were characteristic of the members of the Church of Rome, and the religious orders of that Church. Now, I cannot but draw a broad distinction between the Jesuits and the other religious orders of the Church of Rome. I will not weary the House by referring to original documents; but it appears to me that there is a spirit of exaggeration in the views of obedience and the principles laid down with respect to the doctrine of obedience amongst Jesuits, which, in certain circumstances, would render them dangerous to society as now constituted in this country. I will not raise the question whether any practical danger exists at this moment; but I do contend

that the laws of the Society of the Jesuits are not, when they are judged in the abstract or letter, safe and secure laws, either for civil or national societies. But I have not heard any such charge advanced against the members, or the rules and principles, of any other religious order. Therefore I say it will not do on that ground to allow such a law as now exists to stand on the Statute-book. We may be fairly called upon, after the lapse of eighteen years, and after the great change that has taken place in the constitution of Parliament, and the many alterations which that Parliament has brought about —we may, I say, be fairly called upon to show cause for continuing those exclusions on the Statute-book. Good reason may be shown for protection of some kind with regard to parties like the Jesuits, who appear to lay down principles that clash with civil and political duties; but I can find no such cause with respect to the members of other religious orders. If you tell me that by their religious activity they are more dangerous than the secular clergy, my reply is, that they may possibly be so; but, whether truly or not, we have no right, on the ground of their superior religious activity, to exclude them from Her Majesty's dominions. I think, therefore, as regards the members of these orders, and looking closely to the reasons which exist for continuing these particular enactments—I do not know that they come under any obligation to render themselves dangerous members of society. I do not know that we are entitled to go so far as to demand of them that they shall be registered and placed under any kind of supervision, or, whether directly or implied, regarded as suspicious persons. As to the Jesuits, I certainly have certain reservations, and I consider that in Committee we shall be best able to settle what course ought to be followed on this important point of the question; but, with that reservation, it appears to me that the clause should be carried further than it has been. Permit me to say, that I think a case has been made out for entering into the further consideration of this Bill; and with that impression I shall record my vote for the second reading.

Mr. SHEIL: I rise for the purpose of making a very few remarks, principally in reference to the very excellent speech—both morally and intellectually excellent—which has been pronounced by the hon. and learned Member for Midhurst. I agree fully in the definition which he has cited, as laid down by a great philosopher and champion of civil and religious liberty. But, with respect to that Act of 1829, let me state to the hon. and learned Member a singular and most remarkable circumstance, which I am sure he has overlooked in the speech which he has pronounced on this question, and which involves, as I have no doubt he will admit, a practical grievance. By the Act of 1829, Roman Catholics are excluded from the Chancellorship of Ireland. There is the strongest reason for excluding Roman Catholics from the Chancellorship of England, because the Lord Chancellor of England has great ecclesiastical patronage; and I believe that those who framed the Act of 1829 were under the impression at the time that Act was brought in that the Lord Chancellor of Ireland enjoyed ecclesiastical patronage analogous to that possessed by the Lord Chancellor of this country. But such is not the fact. The Lord Chancellor of Ireland has no ecclesiastical patronage what ever. And if the doctrine laid down by the hon. and learned Gentleman be well founded—if he adheres to his principles—I ask him for what reason, or rather under what pretence, a distinguished Catholic barrister is shut out from the highest honour of his profession. This is a practical grievance. Other grievances may be fanciful and imaginative, but this is a grievance that he will admit not to be imaginary; it is pregnant with grievous reality. We all remember, or most of us do, a most remarkable Member of this House—the late Sir Michael O'Loghlen, who, as Attorney General for Ireland, obtained the suffrages and applauses of men of all parties in this House, and who was afterwards raised to the office of Master of the Rolls, where he distinguished himself in such a manner that every one said, "What a wrong is it that this man cannot be Lord Chancellor of Ireland!" He was Master of the Rolls. There was also Mr. Woulfe, a Catholic, who had been raised to the office of Chief Baron of the Exchequer; and Mr. Pigot, also a Catholic, who now holds that office. A Roman Catholic may be Chief Justice of the Queen's Bench, where life, and what is more valuable than life, may be at stake—where the safety of the State may be involved. Now, I ask the hon. and learned Member for Midhurst —himself a distinguished member of the bar—if he were at the Irish bar—I beg his pardon for making the supposition—and if he were a Roman Catholic and were

Attorney General, and if the Chancellorship of Ireland became vacant, would he not consider it a grievance if he found his religion to stand in the way of his promotion? In these few words I think I have said enough to show you what a wrong is committed in this matter.

Mr. GOULBURN said, as he had had an opportunity of expressing his views on this Bill not many months ago, it was certainly not his object to address many observations to the House on the present occasion, more especially because he conceived that, in the present state of the House, that Member conferred the greatest benefit on the community, and on Ireland in particular, who did not enter into any lengthened debates. He could not, however, after the speech of the right hon. Gentleman, avoid making one or two observations on the subject before them, because he saw in the speech which the right hon. Gentleman had delivered the strongest possible argument why they ought not, on the present occasion, to adopt the Bill under consideration. The right hon. Gentleman said, that the grievances which the Bill professed to remedy might be fanciful and imaginary; but that there was a real grievance which the Bill did not allude to, and which pressed on the whole of the Irish bar, and on the whole of the Roman Catholic population of Ireland, namely, an enactment in the measure of 1829, which in the opinion of the right hon. Gentleman the House ought to repeal. What then could show stronger the danger of tampering with the subject, than to see a Member of Her Majesty's Government, and a Gentleman who, above all others, might be interested in altering the Act, taking the earliest opportunity of announcing that it was his opinion — an opinion, it was to be presumed, sanctioned by those with whom he acted—that the House ought to repeal one of the most stringent provisions, and one of those most insisted on at the time the Act was passed, and which he never heard objected to until the right hon. Gentleman addressed the House? How were they to know but that other points in this Act might be objected to by other Roman Catholics, who would be equally interested in some other views, as the right hon. Gentleman was, with regard to his own profession, and which would give rise to contentions and religious animosity in the country? On that ground he should resist the second reading of this Bill. His right hon. Friend who preceded the right hon. Gentleman, confirmed the right hon. Gentleman's views, that the grievances to which the Bill applied were but fanciful and imaginary. His right hon. Friend felt, what could not be denied, that these clauses of ancient Acts of Parliament stood on the footing in which they had been placed in the speech of the hon. and learned Member for Midhurst—a speech which must have commanded the attention of the House, and which reminded him how much they were likely to be benefited on all future questions, in which legal discussions were involved, by the presence of the hon. and learned Gentleman. His right hon. Friend suggested that it might be desirable to draw a distinction in respect to the Act of 1829 between the different religious orders. He had no doubt of the ability of his right hon. Friend to prepare an Act of Parliament suited to meet the difficulty; but he certainly should be sorry to see the British House of Parliament embarked on such an undertaking. All the House knew of these religious orders was, that they each depended on a superior who might be a foreigner, and who might be under the influence of some foreign jurisdiction; and Parliament accordingly reserved in the Act of 1829 the power of dealing with them whenever they might become mischievous. That Bill of 1829 did not involve the religious orders in any particular grievances. He heard it as a complaint against the Bill that it left the entire power of proceeding against these parties in the hands of the Attorney General. It was not in the power of any individual in the country to take up a case against a Jesuit, and who might wish to do so because he was opposed to him in religious faith. The Act of 1829 vested exclusively in the Attorney General the power of bringing an indictment against such a person; and he would caution the House that, if they dealt with these religious orders in a way to excite the feelings of this country, they incurred the danger of having application made to them to alter the law so as not to leave it to the Attorney General alone to proceed against them, but to leave them, like all other cases, open to general prosecution. Having, as he already remarked, expressed his opinion on a former occasion with regard to this Bill, he would not trespass further on the House at present, except to observe that he still retained the opinions to which he had given utterance.

Mr. HUME was quite surprised at the

speech of the right hon. Gentleman who had just sat down, as he had thought him incapable, after his long experience in the House, of assigning as a reason for not going into Committee on the Bill, the fact that one hon. Member had stated an objection which was not contained in the Bill. It seemed to him to be a monstrous abuse of the power which individual Members possessed, that because some other hon. Member should point out a grievance which nobody proposed at the present moment to interfere with, he was therefore to object to consider a grievance brought regularly under his notice. The right hon. Gentleman said that no Member of the House of Commons objected to the Bill of 1829. [Mr. Goulburn: I did not say that.] He had himself objected to many provisions of the Act; but, like others, he waived those objections in his anxiety to have the question settled. He, for one, thought that no subject of Her Majesty ought to be liable to civil disabilities on account of religious opinions, be he Jew, Greek, Hindoo, or Mussulman; and it was remarkable that the Hindoos and Mussulmans enjoyed all their religious rights under the British Crown, while Roman Catholics who lived among ourselves were subjected to unjust restrictions.

Mr. CARDWELL was anxious to express, and he thought he could do so in almost a single sentence, the motives which weighed with him in giving his cordial concurrence to the second reading of this Bill. He thought there were very few Members of the House who must not feel the very great inconvenience arising from having discussions of a very delicate nature, and tending naturally to promote feelings which they were all desirous to discourage, renewed for two or three successive Sessions. They could not set the House of Commons afloat on religious discussions, and on subjects on which religious opinions differed, without creating a great tendency to public mischief and religious discord. This was the third Session in which they had been engaged with this Bill; and he hoped the present Session would not come to a close without bringing it to a practical end. He hoped that in the interval which would elapse before the Bill again came before them, the Government would consider the question, and that the right hon. Baronet would carefully weigh the several provisions of the measure; that he would satisfy his mind what the actual condition of the Roman Catholic subjects of the Crown was; whether there were practical grievances of which they had ground to complain; and whether there were not on the Statute-book obsolete but offensive penalties affecting the Members of that persuasion. He believed the right hon. Baronet would find on both sides of the House an almost unanimous feeling to go into Committee for a practical object, namely, the abolition of such grievances. He hoped that when they had satisfied their Roman Catholic fellow-subjects of their earnest desire to remove all real grievances, they would, under the guidance of the heads of their body, agree with the House in saying, "For God's sake, do not let us have in every Session of Parliament a discussion which can lead to no practical good, but which tends to the dissatisfaction of all men, and produces that enormous evil—religious differences among our fellow-subjects."

Mr. FARRER was unwilling to give his first vote on a religious question without expressing his opinion. He agreed with an hon. Gentleman who had observed that the business of the House would be better conducted were hon. Gentlemen to retain their seats, and profit by the counsels of those who had greater experience, and should act on that advice. The arguments urged on the other side of the House had not in the slightest degree altered his opinion that concession to the Roman Catholics should not be carried further. If it was said the clauses sought to be repealed were no longer acted upon—why should the peace of the country be disturbed by the attempt to repeal what was inoperative? He would not on that, almost the first occasion on which he had taken part in the proceedings of the House, refrain from avowing his conviction that further concessions to the Roman Catholics was dangerous to the country, and likely to prove prejudicial to the interests of all classes.

Mr. J. STUART objected to the first part of the Bill, inasmuch as it affected the supremacy of the Crown. He had taken an oath at the table of that House, by which he was bound to hold the Crown supreme in all matters, ecclesiastical as well as civil, within these dominions. It was the constitution of this country not to tolerate, and it never had tolerated in any matter, ecclesiastical or civil, the interference of any foreign Power with the supremacy of the Crown; and if the right hon. Baronet opposite (Sir George Grey) should

find, upon the true interpretation of the first part of this Bill, that it trenched upon the supremacy of the Crown in matters ecclesiastical, he claimed his vote against that part of the Bill, as well as his intended vote against the second part of the measure. The right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) said he did not very well understand the present state of the law with regard to the supremacy of the Crown in matters ecclesiastical. He could have no doubt as to his opinion on that subject, an opinion founded, as he believed, upon the strictest constitutional views. They were all agreed the first part of the measure related to that part of the Statute of Elizabeth which imposed penalties upon persons who disputed the supremacy of the Crown. The right hon. Baronet (Sir G. Grey) had said that the only supremacy which the Church of Rome asserted was in matters purely spiritual. [Sir G. Grey: No.] He was extremely grateful to the right hon. Baronet for putting him right. As he now understood him, the right hon. Baronet entertained no such opinion as that in matters spiritual any foreign Power had a jurisdiction in this country which interfered with the supremacy of the Crown. If that were the position of the right hon. Baronet, he (Mr. J. Stuart) would show him it was impossible he could support the first part of this Bill. The short description of the measure was "a Bill to repeal certain parts of the Statute of Elizabeth." That part of the Statute of Elizabeth which was affected by this proposal related to the offence of printing, or preaching, or disputing by words, the supremacy of the Crown in matters spiritual and ecclesiastical. It was the supremacy of the Crown in matters ecclesiastical, however, that was established by the common law as much before the Reformation as it was after; and what had been the effect upon the constitution? Why, that even before the Reformation the doctrine of the supremacy of the Crown prevented the interference of any foreign Power in matters ecclesiastical in this kingdom. They were then asked to repeal that part of the Statute of Elizabeth which said that penalties could be inflicted by the common law upon persons who denied the Crown's supremacy—and upon what grounds? The right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) had not adverted to the Statute of Elizabeth as declaring the common law; but the fact was, that if they repealed the Statute of Elizabeth, they would repeal the declaratory enactment of the common law of the Crown's supremacy. He would remind the noble Lord the Member for Arundel (the Earl of Arundel and Surrey), that though his religious opinions were tolerated, they were not permitted to interfere with the legislative enactments. The supremacy of the Crown in all matters ecclesiastical, as well as civil, had been the law of England from the time of the Conquest; and was as much the law before the Church of England had purified itself from the errors, in doctrine and discipline, of the Church of Rome, as since the days of the Reformation and Queen Elizabeth. The case of the Archbishop of York, in the reign of Edward I., who was punished by law for obeying the Pope against the command of the king and the law of the land, was a sufficient instance of this; and the parallel case which had occurred within the last month of the Pope sending his mandate to the Irish Roman Catholic bishops, to disobey the Act of Parliament as to the colleges, was proof enough of foreign interference with our municipal laws, and reason enough for not repealing any enactment which declared the supremacy of the Crown. Under these circumstances he should not give his vote for the repeal of any clause in any Act which declared that by the common law of England it was an offence to deny the supremacy of the Crown of England in matters spiritual and ecclesiastical.

The House divided on the question, that the word "now" stand part of the question:—Ayes 168; Noes 135: Majority 33.

List of the Ayes.

Adair, R. A. S.	Caulfield, J. M.
Aglionby, H. A.	Cayley, E. S.
Alcock, T.	Childers, J. W.
Baines, M. T.	Clay, J.
Baring, rt. hon. F. T.	Clay, Sir W.
Bellew, R. M.	Clifford, H. M.
Birch, Sir T. B.	Cochrane, A.D.R.W.B.
Blackall, S. W.	Colebrooke, Sir T. E.
Blake, M. J.	Courtenay, Lord
Bouverie, E. P.	Craig, W. G.
Bowring, Dr.	Crawford, W. S.
Bright, J.	Damer, hon. Col.
Brockman, E. D.	Davie, Sir H. R. F.
Brotherton, J.	Dawson, hon. T. V.
Browne, R. D.	Devereux, J. T.
Bunbury, E. H.	Drumlanrig, Visct.
Burke, Sir T. J.	Duncan, Visct.
Buxton, Sir E. N.	Dundas, Sir D.
Callaghan, D.	Ebrington, Visct.
Cardwell, E.	Ellice, rt. hon. E.
Carter, J. B.	Evans, J.

Ewart, W.
Fagan, W.
Foley, J. H. H.
Forster, M.
Fortescue, hon. J. W.
Fox, R. M.
Freestun, Col.
Gardner, R.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Gower, hon. F. L.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Granger, T. C.
Grattan, H.
Greene, J.
Gregson, S.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Haggitt, F. R.
Hall, Sir B.
Hastie, A.
Hayter, W. G.
Hervey, Lord A.
Heywood, J.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hume, J.
Hutt, W.
Jermyn, Earl
Jervis, Sir J.
Keating, R.
Keogh, W.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Lewis, G. C.
Lincoln, Earl of
Littleton, hon. E. R.
Lushington, C.
Macnamara, Major
M'Gregor, J.
M'Tavish, C. C.
Meagher, T.
Mahon, The O'Gorman
Maitland, T.
Marshall, J. G.
Mitchell, T. A.
Molesworth, Sir W.
Monsell, W.
Moore, G. H.
Morgan, H. K. G.
Morpeth, Visct.
Mowatt, F.
Nugent, Sir P.
O'Brien, J.
O'Brien, T.
O'Connell, J.
O'Connell, M.
O'Connell, M. J.
O'Connor, F.
O'Flaherty, A.
Ogle, S. C. H.
Ord, W.
Osborne, R.
Paget, Lord C.
Paget, Lord G.
Parker, J.
Perfect, R.
Peto, S. M.
Pilkington, J.
Pinney, W.
Power, N.
Price, Sir R.
Raphael, A.
Rawdon, Col.
Reynolds, J.
Ricardo, J. L.
Rich, H.
Robartes, T. J. A.
Roche, E. B.
Romilly, J.
Russell, F. C. H.
Sadleir, J.
St. George, C.
Salwey, Col.
Scholefield, W.
Scrope, G. P.
Scully, F.
Seeley, C.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Simeon, J.
Slaney, R. A.
Smith, J. B.
Smythe, hon. G.
Somerville, rt. hon. Sir W.
Stanley, hon. E. J.
Strutt, rt. hon. E.
Stuart, Lord D.
Sutton, J. H. M.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Trelawny, J. S.
Tufnell, H.
Turner, E.
Urquhart, D.
Vane, Lord H.
Verney, Sir H.
Villiers, hon. C.
Wakley, T.
Wall, C. B.
Walmsley, Sir J.
Watkins, Col. L.
Westhead, J. P.
Williams, J.
Wilson, J.
Wilson, M.
Wood, W. P.
Wyvill, M.
Yorke, H. G. R.
Young, J.

TELLERS.

Anstey, T. C.
Arundel and Surrey, Earl of

List of the NOES.

Abdy, T. N.
Acton, Col.
Adderley, C. B.
Alexander, N.
Arbuthnot, hon. H.
Arkwright, G.
Ashley, Lord
Baillie, H. J.
Baldock, E. H.
Barrington, Visct.
Bateson, T.
Beckett, W.
Benbow, J.
Bennet, P.
Beresford, W.
Blackstone, W. S.
Bolling, W.
Bourke, R. S.
Bowles, Adm.
Bramston, T. W.
Bremridge, R.
Brisco, M.
Broadley, H.
Broadwood, H.
Brooke, Lord
Buller, Sir J. Y.
Bunbury, W. M.
Burroughes, H. N.
Carew, W. H. P.
Castlereagh, Visct.
Chaplin, W. J.
Charteris, hon. F.
Chichester, Lord J. L.
Clive, H. B.
Cobbold, J. C.
Cocks, T. S.
Codrington, Sir W.
Cole, hon. H. A.
Cripps, W.
Cubitt, W.
Deedes, W.
Deering, J. P.
D'Eyncourt, rt. hon. C.
Duckworth, Sir J. T. B.
Duncuft, J.
Dundas, G.
Du Pre, C. G.
Edwards, H.
Egerton, Sir P.
Egerton, W. T.
Farnham, E. B.
Farrer, J.
Ffolliott, J.
Fitzroy, hon. H.
Floyer, J.
Forbes, W.
Fox, S. W. L.
Frewen, C. H.
Gooch, E. S.
Gordon, Adm.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Grogan, E.
Gwyn, H.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Harris, hon. Capt.
Hastie, A.
Heald, J.
Heathcoat, Sir W.
Henley, J. W.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hodgson, W. N.
Hood, Sir A.
Hope, Sir J.
Hornby, J.
Hudson, G.
Ireland, T. J.
Jolliffe, Sir W. G. H.
Jones, Sir W.
Jones, Capt.
Knox, Col.
Lennox, Lord A.
Lennox, L. H. G.
Lindsay, hon. Col.
Lockhart, W.
Lowther, H.
Lygon, hon. Gen.
M'Naghten, Sir E.
Manners, Lord C. S.
Manners, Lord G.
Masterman, J.
Maxwell, hon. J. P.
Moody, C. A.
Morgan, O.
Mundy, E. M.
Newdegate, C. N.
Noel, hon. G. J.
Ossulston, Lord
Palmer, R.
Plumptre, J. P.
Reid, Col.
Renton, J. C.
Richards, R.
Sandars, G.
Scott, hon. F.
Seaham, Visct.
Sibthorp, Col.
Smyth, J. G.
Smollett, A.
Sotheron, T. H. S.
Spooner, R.
Stafford, A. O'B.
Stanley, E.
Stuart, H.
Stuart, J.
Thompson, Aldm.
Tollemache, J.
Trevor, hon. G. R.
Turner, G. J.
Tyrell, Sir J. T.
Verner, Sir W.
Vivian, J. E.
Vyse, R. H. R. H.
Waddington, D.
Walpole, S. H.
Welby, G. E.
Willoughby, Sir H.
Wodehouse, E.

TELLERS.

Inglis, Sir R. H.
Law, hon. C. E.

Bill read a second time. To be committed.

Adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, December 9, 1847.

MINUTES.] *Took the Oaths.*—Several Lords.

PETITIONS PRESENTED. From the Parishioners of Pains-

wick, for Sanitary Reform.—By Lord Campbell, from the Parishes of Saint Mary, and Saint Ann, in the County of Cork, for the Abolition of Ministers' Money, and for the Provision of an Equivalent in Lieu thereof.—By Lord Brougham, from a Protestant Dissenting Congregation assembling at a Chapel in Bury, Lancashire, for the Removal of Jewish Disabilities.—By Lord Farnham, from various places in Ireland (7 Petitions), for the Adoption of Measures to put an End to the Atrocious Crimes committed in Ireland.

MINISTERS' MONEY (IRELAND).

LORD CAMPBELL presented a petition from the inhabitants of St. Mary and St. Ann in the city of Cork, praying the adoption of some substitute for ministers' money. The noble and learned Lord expressed his concurrence in the prayer of the petitioners.

The EARL of ST. GERMANS inquired if that was the noble and learned Lord's opinion only, or was it the opinion of Her Majesty's Government?

LORD CAMPBELL had no authority to speak on the part of the Government.

LORD MONTEAGLE said, that ministers' money had been admitted to be a grievance by every Government since the passing of the Tithe Commutation Act; yet to this moment no remedy had been proposed. He begged to suggest that a Committee might be appointed to consider the subject.

LORD STANLEY went with the noble Lord to the extent that, if there could be means devised of effecting the commutation of ministers' money, it was desirable that that provision for the Protestant ministers in the cities of Ireland should be made in a different manner. But he could not regard the payment as a grievance, because it was an old tax, levied according to an old valuation upon certain property—he believed house property—in all the great cities of Ireland. Therefore, although he admitted that it would be desirable to give a fair equivalent to the Protestant clergy in those cities, for whom this was the only provision made by the law, yet the great difficulty was to obtain that equivalent unless the cities themselves assented to a different mode of levying the tax. The extent of the grievance, too, was very small, for he understood that the total sum levied in all the cities of Ireland was only 14,000*l*. He hoped, then, that that which was the only provision existing for the Protestant clergy in those cities would not be too hastily condemned, until they were sure that they could adopt an equivalent, so as to secure their incomes for them. No one would rejoice more than himself to see such a provision made.

Petition to lie on the table.

CRIME IN IRELAND.

LORD FARNHAM presented seven petions from different parts of Southwark and Lambeth, praying that measures might be adopted sufficiently strong to give security to life and property in Ireland. The noble Lord said, in presenting these petitions to their Lordships, which were signed by persons of great wealth, respectability, and intelligence, he begged leave for a few minutes to call their Lordships' attention to the contents of a letter which he held in his hand; it was a letter which was entitled to their deepest consideration. He did not feel himself at liberty to mention the name of the writer, because if he did, he should be certain that he would be furnishing one additional melancholy proof of the truth of the statement which the writer himself made in his letter, "that a man's life was not worth a day's purchase" in that country.

The MARQUESS of LANSDOWNE: In that part of the country.

LORD FARNHAM: Yes, in that part of the country. He had handed the letter to the noble Marquess. He had told the noble Marquess who the individual was who had written it, and who his friend was who had received it, and placed it in his possession. And he felt that the noble Marquess would bear him out in the statement that it was above suspicion, and that the evidence coming from such a man, considering who he was and what he was, though he would not, for he dared not, mention his name, was entitled to their Lordships' confidence and attention. This respectable gentleman, in writing to his (Lord Farnham's) friend, said—

"It is with sincere regret and sorrow that I have to inform you that the Rev. John Lloyd, of Smith Hill, the parson of Aughrim parish, was shot dead yesterday evening about four o'clock, on his return home from officiating at his church, within about one mile of his residence. John Lloyd was one of the very best of good men, charitable, kind, and humane to all persons, without any distinction, esteemed and loved by his parishioners and neighbours. Living not many miles from him from my infancy, I never heard he intentionally offended or injured any person.

"I cannot account for this melancholy murder, otherwise than that he might have been mistaken for some other person, or that there is now such a thirst for blood that he was shot to intimidate others."

What followed he (Lord Farnham) had

great pleasure in reading to their Lordships. It seemed that a very respectable priest had been attacked in some of the papers for having denounced Major Mahon at the altar. In other words, the delinquency of the Rev. Michael M'Dermott had been saddled on the Rev. Mr. King. He (Lord Farnham) was glad to have this opportunity of doing an act of justice, and he could assure their Lordships that no one could do it with greater pleasure to Mr. King. The letter went on to say —

"Having lately seen in the public papers that allusions were made to some priests who denounced the late Major Mahon from their altars, and having heard that the name of the priest of the parish of Aughrim, the Rev. Mr. King, was mentioned, I beg leave to assure you that the Rev. Mr. King and the late Major Mahon were at all times on the best terms, and intimate, and that Mr. King always spoke of Major Mahon in the kindest manner, and could not without my knowledge speak otherwise of him. There are over 300 families in this district who were tenants to Major Mahon, some of them owing from two to four years' rent. They were at all times treated with very peculiar lenity, neither harassed nor ejected, and to my knowledge Mr. King frequently told the people how very grateful they should feel for such indulgences. The state of this part of the country is indeed melancholy. Life is not worth a day's purchase. It is even dangerous to speak of Major Mahon's kindness to his tenants in this district. An intimate friend of mine has received a threatening letter denouncing him for so doing, and with his large family he feels miserable, and anxious, if possible, to leave this country.—I am, &c."

All he (Lord Farnham) would say further was, that if he dared mention the name of the writer of this letter, their Lordships would be perfectly satisfied that his evidence was unimpeachable both with regard to the state of that part of Ireland, and as to the character of the two respected murdered gentlemen.

The Marquess of LANSDOWNE was bound to say that, for the sound reasons which the noble Lord who last addressed the House had assigned, he was perfectly right in not mentioning the name of the person through whom he received the letter that had been read to the House; and it was of course equally necessary that the name of the writer of the letter should not be divulged. The noble Lord had shown the document in question to him, and there could not be the least doubt that the name which it bore would impart the highest authority to any statement proceeding from such a quarter; the situation and independence of the writer placed any narrative or description that he might put forth quite beyond the least possibility of dispute. His name was one of a class which, if mentioned to the House, would at once carry with it the entire acquiescence of their Lordships, both as to the accuracy of his facts and the purity of his motives.

Petition to lie on the table.

House adjourned.

HOUSE OF COMMONS,

Thursday, December 9, 1847.

Minutes.] New Writ.—For Newcastle-under-Lyme, *v.* Samuel Christy, Esq., Chiltern Hundreds.—For Kilkenny, *v.* John O'Connell, Esq., who has made his Election for Limerick.

Public Bills.—2° Crime and Outrage (Ireland); Public Works (Ireland).

Petitions Presented. By Lord Nugent, from Aylesbury, for Abolition of Church Rates.—By Mr. Frewen, from County of Banff, and Mr. Moody, from Weston-super-Mare, against, and by Sir John Guest, from Merthyr Tydfil, Lord A. Conyngham, from Canterbury, and Mr. Ricardo, from Worcester, for Removal of Jewish Disabilities.—By Dr. Bowring, and other hon. Members, from various places, for Inquiry into the Case of the Rajah of Sattara.—By Messrs. C. Anstey, S. Crawford, and F. O'Connor, from several places, against the Crime and Outrage Bill, and for Measures of Amelioration (Ireland).—By Sir W. Jones, from Cheltenham, for Sanitary Regulations.

THE NEW HOUSES OF PARLIAMENT.

Viscount DUNCAN, observing the Chief Commissioner of Woods and Forests in his place, and knowing the interest taken by the noble Lord in all sanitary measures, wished to put to him a question which nearly affected the health of the Speaker and of every hon. Member of that House. He begged to ask, if the noble Lord could inform him at what date the new House of Commons was likely to be fit for occupation? Also, why other buildings, not immediately connected with the new House, such as the library, were not yet fit for the reception of Members, as it was understood they would have been by this time? And, further, why more progress had not been made in finishing the official residences, as the delay in their completion occasioned considerable expense to the country?

Viscount MORPETH replied, that he had been informed by the architect of the new Houses of Parliament, that he had no doubt the House of Commons would be ready for the reception of Members within fifteen or eighteen months after the arrangements for ventilating, lighting, and warming the House had been settled. He (Lord Morpeth) might take this opportunity of stating that the Government had thought fit to desire that Dr. Reid's projects with reference to those matters might be carried into effect. With regard to the

subsequent questions of his noble Friend, he (Lord Morpeth) had to state that further progress had not been made with the official residences, because it had been considered best to appropriate the sums which had hitherto been voted by Parliament to the entire completion of the shell of the building in the first instance. The library, he believed, was in a state of considerable forwardness; and he might add, that he had been informed by the architect that the residences of the Speaker and of other Gentlemen officially connected with the House would not be habitable with any degree of comfort until the exterior of the edifice was more advanced towards completion.

METROPOLITAN BUILDINGS ACT.

MR. B. OSBORNE inquired what course the Government intended to take with reference to the Amendment of the Metropolitan Buildings Act?

LORD MORPETH was giving his best attention to that very difficult subject, and intended, after completing his inquiries, to introduce a measure for the Amendment of the Act.

BUSINESS OF THE HOUSE.

SIR G. GREY, having appealed to the hon. Member for Youghal (whose Motion, divided into forty sections, for the production of papers, stood second on the list) to postpone his Motion, in order to enable the Government to propose the second reading of the Crime and Outrage (Ireland) Bill.

MR. ANSTEY consented; but he must say that he consulted the pleasure of the House, and not his own, in doing this.

HAMBURGH.

MR. HUTT inquired whether the Foreign Secretary was in possession of a document of considerable importance, bearing upon a subject to be soon submitted to the House—the Navigation Laws—namely, the report of a Committee of the Senate of Hamburgh on the subject of the Navigation League proposed by Prussia to the State of Hamburgh; and, if so, whether he would lay it on the table?

VISCOUNT PALMERSTON answered, that Her Majesty's Government were in possession of an English translation of that document, and there could be no possible objection to lay it before the House.

PORTUGAL.

MR. HUME inquired whether, as France and Spain were said to have withdrawn from the protocol signed in London in the spring for an intervention in the affairs of Portugal, England had now withdrawn from it?

VISCOUNT PALMERSTON said, that protocol recorded certain engagements entered into by the Crown of Portugal towards the three Allies; and two of those engagements were that the elections of members of the Cortes should take place with as little delay as possible, and that the Cortes should be assembled. Of course, until those engagements had been fulfilled—and at present they had not been—it was the opinion of Her Majesty's Government that the Crown of Portugal was bound by so much of its engagements as had not been fulfilled.

MR. HUME wished to know whether any communication had been received from France and Spain intimating that they had withdrawn?

VISCOUNT PALMERSTON did not think there had been any formal communication to that effect. At the same time, he must not disguise that there might be a shade of difference of opinion between the two Governments that had been mentioned and Her Majesty's Government. He was only authorised to state the opinion of Her Majesty's Government; it was not for him to expound the opinions of other Governments.

THE SCOTCH BANKS.

MR. J. A. SMITH wished to notice that some misconception had arisen with reference to the speech of the Chancellor of the Exchequer the other night, and it had caused pain in some quarters. The right hon. Gentleman probably meant only to state, as was notorious, that during the recent distress "certain Scotch banks" had applied for assistance to the Bank of England; and not as was imputed to him, that "the Scotch banks" applied?

The CHANCELLOR OF THE EXCHEQUER believed that the words he used were, "some banks in Scotland;" he certainly did not mean to convey the impression that the applications were general.

CRIME AND OUTRAGE (IRELAND) BILL.

On the question, that the Order of the Day for the Second Reading of the Crime and Outrage (Ireland) Bill be read,

MR. J. O'CONNELL having on the

Paper a notice of Motion for a Committee on the expediency of taxing Irish absentees, objected. This was a Motion day.

Mr. SPEAKER had called on the hon. Member in his turn, but he was not then in the House; and the Motion Paper having been gone through, the House had now proceeded to the Orders.

Mr. J. O'CONNELL wished at all events to ask the Home Secretary whether he could now hold out any prospect of the promised remedial measures; whether any immediate step was to be taken, or measure proposed, for providing employment, and thereby the means of procuring food, where there must be a deficiency; and whether a definite day could now be fixed for bringing forward a Landlord and Tenant Bill?

Sir G. GREY was afraid he could give no other answer than that given a few days ago. With regard to the state of some unions in Ireland, the attention of the Government was closely directed to the condition of the people, and they had constant reports respecting it; and there were means at the disposal of the Government which they believed would be amply sufficient to meet any cause of emergency that might arise in those unions. It was not their intention to come to Parliament to ask for a grant for resuming public works, or giving at the public expense gratuitous relief in those parts of Ireland. With regard to a Landlord and Tenant Bill, it had undergone very full consideration, and was still under the consideration of Government; and it was their intention to lay it upon the table after it had received that degree of care which would enable them to present it in a shape in which they thought they could recommend it to the adoption of the House. The Government did not intend to bring forward any business to interfere with the progress of the Crime and Outrage Bill.

Order of the Day read.

Sir G. GREY, in rising to move the Second Reading of the Crime and Outrage (Ireland) Bill, said: I wish to be allowed for a few moments to trespass upon the patience of the House while I endeavour to remove a misconception with regard to one part of the Bill, and to notice certain suggestions which have been made to me since the introduction of this measure. By doing this I may probably prevent some unnecessary discussion which might otherwise arise. The point to which I refer is that regarding the augmentation of the police force. The hon. Member for Buckinghamshire (Mr. Disraeli), after I had stated, on a former night, the outline of the provisions of the Bill, expressed his satisfaction that the state of crime in Ireland was of so limited an extent as to require only an increase of 200 men to the constabulary force. Looking back to the statement I made, I find that the hon. Gentleman's view of the case arose from my statement not having been sufficiently full on this part of the case, and from my not having gone into the existing state of the law having reference to the augmentation of the police in Ireland. I have received several communications suggesting that the increase of the constabulary police force to 200 additional men was too small, and that the police should be increased by 1,000; and also that power should be given to remove police from one county or district to another. Now, I wish to state that the effect of this Bill is to remove all limit whatsoever to the increase of the police, leaving it entirely to the discretion of the Lord Lieutenant to determine what increase shall be made and appointed to the disturbed districts which have been proclaimed. The existing law on the subject stands thus: By the 6th William IV., c. 13, the maximum of the constabulary force in the towns, baronies, and counties of Ireland, beyond which the Lord Lieutenant cannot increase them, except in certain cases, is fixed at 100 men in towns and 16 in baronies or half-baronies. But there are two ways in which the police may, under the present law, be increased: first, on a requisition from seven magistrates at quarter-sessions, stating that the existing amount of the constabulary force in any particular part of the county is insufficient to secure the due execution of the law; and, secondly, by proclamation of the Lord Lieutenant, declaring any particular district in a state of disturbance, in which case he is authorised to increase the constabulary force to the extent, by the first Constabulary Act, of 50 men, but which has since been increased to 100 men. The police have been increased in several counties by virtue of this power, given by the 6th of William IV.; and, under the existing law, half the expense of such increase is defrayed out of the Consolidated Fund, and the other half is levied on that part of the county in which the increased force is required under a grand-jury presentment. The Lord Lieutenant has already the power to remove any portion of the constabulary force from one county

or from one part of a county to another, where they may be required; it is not therefore necessary to give him any additional power in that respect by the present Bill; for, by the 27th section of the 6th William IV., express power is given to the Inspector General to remove the police to other counties or to other districts of the same county, subject to the Lord Lieutenant's direction. A reserve force was created by the 2nd and 3rd Victoria, c. 75, to the extent of 200 men, in addition to the appropriated force. By the 9th and 10th Victoria, c. 97, this reserve force has been increased to 400 men. These men are ready to be sent on any sudden emergency from Dublin, either to assist in repressing crime or in apprehending offenders, according to the discretion of the Lord Lieutenant. They form a sort of depôt, answering the same purpose as a regimental depôt, where they undergo training, and are accustomed to discipline, which is essential to their organisation and efficiency. The effect of the 3rd Clause of this Bill will be to remove the existing limit of the police, and to give the Lord Lieutenant the power to increase the force to such an amount as he may think fit. And, as we thought it possible that a considerable increase of police might take place under this discretionary power, it was thought desirable that the depôt of the reserve force should be increased to meet the demand for new supplies of men from time to time. It is therefore proposed to increase the reserve force to 600. I hope I may have made myself clearly intelligible to the House. I hope it will now be understood that no limit is placed upon the amount of the constabulary force which the Lord Lieutenant may send into any district proclaimed under this Act. I need scarcely refer again to another material part of the Act, with respect to the charges that will be incurred by sending an additional force into any disturbed district. By the present law, half the charge is paid out of the Consolidated Fund, and half by the county or district into which the additional force is sent; but, under this Bill, the whole charge will be imposed on the county or district requiring the increased force. But suggestions have been made, and which are already provided for in the Bill, namely, that the charge for the increased force should not be necessarily co-extensive with the whole county or district which may be proclaimed; but that if the Lord Lieutenant shall think fit to proclaim any county or district, he may do so, and that the additional police force may be appointed to act for a portion only of the district or county; and that that portion only shall be chargeable for the expense of maintaining such force. There is one other point to which I wish to advert, and to which attention was called by the hon. Member for Meath (Mr. H. Grattan) on a former night. I refer to the Special Constables Act, 2 and 3 William IV., c. 108. That Act gave a very useful power of calling into exercise those duties which devolve upon the inhabitants of a district where crimes and disturbances exist, by calling upon such inhabitants to aid in the execution of the law. The Lord Lieutenant is anxious that it should be known that it is his desire and wish to put into operation the powers of that Act in all cases where it is thought he can safely do so. The hon. Member for Meath said that the people should be accustomed to act themselves in the vindication of the law. I most entirely agree with the hon. Member, and think that aid should be given by gentlemen and by persons of all classes to the utmost of their power in the execution of the law in all districts, however disturbed they might be. The hon. Member adverted to one instance in which the provisions of that Act had been carried into effect by an hon. Friend of mine, the hon. Member for Roscommon, and his brother (Lord De Freyne) who did by virtue of that Act call out their tenants to aid in preserving the peace; and he believed that by these exertions valuable aid had been rendered in preserving the peace in that portion of the country. I am told, also, that the same course has been taken by the other Member for Roscommon (Mr. Grace) on his estate in that county, and also on the estate of Lord Dillon. Indeed, we are frequently met with the statement that the powers of that Act cannot be safely put in execution in the most disturbed districts, owing to the uncertainty as to the dispositions of the parties who might be called upon to act, and the apprehension that the parties so called upon may be participators in crime. I hope that these fears are exaggerated. I hope that gentlemen residing in the disturbed districts will be ready to avail themselves as much as possible of the provisions of the Act of 2 and 3 William IV., c. 108, and will aid the Government in inducing some portion of the population, even in those disturbed districts, to

take upon themselves a share in the repression of crime. The only other part of the measure to which I think it necessary now to advert, is that relating to the law of accessaries. It was stated the other night that the Government had not proposed any alteration of the law with regard to the instigators of crime. My hon. Friend the Member for Hull has given notice of an amendment of the law with regard to accessaries after the fact, which I shall be ready to consider when I see what the proposal is; but it is doubtless of the greatest importance that the person charged with instigating to crime should be amenable to law. This is a subject to which the Lord Lieutenant and the Government have directed their serious attention; but they are of opinion that the means of punishing such offences is given already by the law, so far as the law can afford those means; but the difficulty consists in proving the offence—in obtaining evidence of the words spoken, and reducing mere rumour into positive testimony on oath. Speaking of the Roman Catholic priesthood, it is the opinion of the Lord Lieutenant of Ireland, that as a body they have rendered very great assistance in maintaining the law, and repressing crime and disturbance. Statements have been made as to words having been spoken by some individuals amongst them exciting to the commission of crime; but in one instance only has any such statement been confirmed by sworn information. That statement is now under consideration of the Lord Lieutenant. The House may be assured that if any case shall be brought forward in which the Lord Lieutenant shall feel that there is sufficient ground for instituting a prosecution with a prospect of success, he will not shrink from the discharge of that part of his duty any more than from any other duty that may devolve upon him as the administrator of the affairs of Ireland. It may be useful for me to state what are the provisions of the existing law with regard to offences of this description. The provision of the 9th George IV., c. 54, sec. 23—which Act is entitled "An Act for the better Administration of Criminal Justice in England," was afterwards transferred into an Irish Act, and made applicable to that country. The words of that Act are—

"And for the more effectual prosecution of accessaries before the fact for felony, be it enacted, that if any person shall counsel, procure, or command any other person to commit any felony, whether the same be a felony at common law, or by virtue of any statute or statutes made or to be made, the person so counselling, procuring, or commanding, shall be deemed guilty of felony, and may be indicted and convicted as an accessary before the fact to the principal felony, either together with the principal felon, or after the conviction of the principal felon; or may be indicted for and convicted of a substantive felony, whether the principal felon shall or shall not have been previously convicted, or shall or shall not be amenable to justice, and may be punished in the same manner as an accessary before the fact to the same felony, if convicted as an accessary, may be punished."

That is the general law in England and in Ireland with regard to accessaries before the fact. Besides this there is a provision in another Act, the 10th of George IV., c. 34, sec. 9—

"That every person who shall solicit, encourage, persuade, or endeavour to persuade, or who shall propose to any person to murder any other person, shall be guilty of felony, and be subject to capital punishment equally with the murderer himself."

The first Act relates to accessaries before the fact to felony, and the second (which I believe is not repealed as to this enactment) relates to encouraging and persuading to murder. I do not know how it would be possible to enact a more stringent law upon these two descriptions of offence. I will not occupy the House any longer, having risen only to remove a misconception as to the powers possessed by the Lord Lieutenant regarding the police force in Ireland, and to anticipate questions that may possibly be put to me from a variety of quarters respecting certain provisions of the Bill. I beg to move, Sir, that the Bill be now read a second time.

Sir R. PEEL: I rise to ask a question of the right hon. Gentleman upon a point which I dare say he has already considered; but it appears to me that the enactments of this Bill might be made more distinct than they are at present—that is to say, that instead of referring to other Acts, some of which the right hon. Gentleman must admit may be rather doubtful as to their application, it would be better to re-enact such portions of those Acts *in extenso* as it is the intention of the right hon. Gentleman to continue in force, and so make the present Bill contain all the enactments necessary for the objects required, instead of legislating by way of reference to former Acts. I wish not to throw the slightest impediment in the way of passing this Bill; but, thinking it possible that difficulties may arise in consequence of re-

ference being made to former Acts, I would merely suggest whether those difficulties might not be obviated, and the law rendered more clear and intelligible.

SIR G. GREY: I presume the observations of the right hon. Gentleman relate more particularly to the 17th Clause of the Bill, by which the provisions of the Whiteboy Acts are rendered, by way of reference, a portion of this Act. I do not think any advantage woald be gained by re-enacting those clauses *seriatim* in this Act. The Whiteboy Acts are the 15th and 16th George III., and the 1st and 2nd George IV. They enumerate certain offences to which certain penalties are attached, such offences occurring in counties or districts marked by agrarian disturbances. In order to a prosecution under those Acts, it is required that evidence shall be given as to the state of the county or district in which the offences are committed. This evidence is necessary before you can convict any offender. All that it is now proposed to do is—not to make the slightest alteration in the provisions of the Whiteboy Acts, which are well known, but to dispense with the preliminary proof as to the disturbed state of the county or district in which the offence is committed, and to require simply a proof of the issuing of the proclamation by the Lord Lieutenant, stating that in his opinion it is a district requiring the provisions of the Act to be applied to it.

MR. JOHN O'CONNELL said, that he had listened with very great amazement and sorrow to the speech of the right hon. Baronet. He was sorry to witness the hostile feeling displayed towards Ireland in that House, and the disposition there was in it to encourage an infringement upon the constitution and liberties of the people of that country. The right hon. Baronet had seemed annoyed at the questions which he put to him; he regretted that should have been the case, while at the same time he admitted that they were a mere repetition of those which he found it his duty to put to him on a previous occasion. But he had done so in order to give him one more chance to put himself right with the people of Ireland, and in order to hold out some show of reason for the passing of this Bill of Coercion, or an earnest intention of remedying the distresses of the people. He did not think he would have to trouble him again with these questions; and he feared that it was now the bounden duty of every Irishman to proclaim aloud to the people that there was no hope of either mercy or justice from an English House of Parliament, and that they must sit down and give themselves up to despair. The right hon. Gentleman had noticed some objections which had been made by some English Members during the progress of the debate; and he prayed the House to mark that those of Irish Members were not even treated with the decency or courtesy of a reply. He certainly was of opinion that some little decency ought to be used towards them when they were dragged at great personal inconvenience to attend there in the midst of a Parliament which, if not hostile, was certainly not well disposed to their country, and that when relief and mercy were denied to them, at least the small attention might be bestowed upon them of answering their objections. It was hopeless indeed for Irish Members to expect to be listened to by that House with attention; and he, therefore, did not think it necessary to dwell at any length upon the circumstances contained in the Bill. No later ago than last year the noble Lord at the head of the Government had declared that he would be no party to coercion without measures of relief; yet he now introduced a Coercion Bill more stringent than its predecessors, unaccompanied by a single remedial measure. He (Mr. J. O'Connell) had compared the statement of the right hon. Gentleman who brought in the Bill with the statement of the late Government in reference to the same subject; and he was bound to say that Her Majesty's Government had not made out a case in point of criminality at all equal to that of their predecessors in office to justify their demand for the Bill. It was sufficient, however, that the late Government should be overturned on that Bill. No terms were, of course, to be kept with Ireland. It was a habit of that House—a custom of the English mind—to treat Ireland with disregard; and the right hon. Baronet might push the measure as fast as he chose, because he was sure he could carry it in that House with a high hand, so it was for the coercion of that country. Irish Members had no means of resistance in their power, nor had they any opportunity of redress. They could not even use the forms of the House with success, though he, for one, should glory in the term "factious" which would be applied to their opposition, if he could avert by the use of those means the blow now aimed at the liberties of his

country. They could not hope to succeed even in playing what was vulgarly called "the long game," such was the temper of the House in regard to this measure. The Government had trampled on every sentiment of decency and consistency in their conduct as respected it. Was that the way, he would ask the House, to convince his country and its representatives that they were in error in supposing that only from their own Parliament could they hope for common justice? The deep-seated convictions of a whole nation on that subject could not be removed by a contemptuous silence, when the Government would not condescend to argue a point of such immense importance with Irish representatives. Every attention was paid to the observations of English representatives, especially when they suggested severity; but nothing that the Irish Members could say was attended to. England had usurped the power of legislation; she now usurped the power of suppressing remonstrances. He would now turn to the practical objections to the Bill; and if the right hon. Gentleman who had charge of it wished to vindicate his consistency and that of the Government he would not hesitate to answer them. The first was in reference to the preamble of the measure. He (Mr. J. O'Connell) had permitted the Bill to be brought in on the assurance of the right hon. Gentleman that it should only be extended to the five or six counties which were disturbed, although he knew well that his conduct in so doing would be misinterpreted in Ireland; but he now found that this assurance had been broken, not only in substance but in the letter; for the application of its provisions was in the power of any Lord Lieutenant of Ireland, and there was no restriction whatever as to the county or district. It was not needed that such county or district should be in a state of disturbance or afflicted with outrage; the most peaceable as well as the most troubled were liable to the process, and the Lord Lieutenant could place it without the pale of the law, by his own act, without any consultation with the authorities of the country. It was, in fact, the establishment of a dictatorship in Ireland—an office unknown to the constitution, and the Lord Lieutenant was actually an absolute dictator. He (Mr. J. O'Connell) admired the career of statesmanship af that noble Lord who now held the office of Lord Lieutenant of Ireland; but he was surrounded by men who had an interest in keeping the truth from him; he was ignorant of Ireland himself, and the truth was walled out from him. Yet to this noble Lord the most absolute powers were intrusted over the liberties and property of the Irish people. He (Mr. J. O'Connell) acquitted the right hon. Gentleman of intentional breach of faith on this head; and he believed it to be the result of ignorance of the nature of the machine placed in his hands by the cunning sub-artificers whom he employed in the matter. If the smallest infringement of the liberties of the people of England had taken place, there would be plenty of Hampdens and Pyms in that House ready to set the country in a blaze; but there was not one of them to say a word for Ireland—the Irish were of course out of the pale of the constitution, which was made for Englishmen, and not for them. The power to be intrusted to the Lord Lieutenant of Ireland was said by the right hon. Gentleman to be confided because of that nobleman's high character; but suppose a change were to take place in the Government—and more improbable things had come to pass—would their supporters feel equal confidence in the judgment and character of the individual who should replace that noble Lord, and whose political principles they should naturally and necessarily hold in distrust? He hoped before the debate was concluded, that he should get an answer to these objections to the measure; and he hoped he should get it from the hon. Member from Drogheda at least; who, though he well knew the influences by which that hon. Gentleman was surrounded, was not, he trusted, wholly oblivious of their common country. Then with respect to the operation of that part of the Bill which related to the search for arms; there was no safeguard in it for personal liberty. It was, in fact, at the mercy of any policeman; and it should be borne in mind that the police in Ireland were a peculiarly constituted body. Originally they were taken from the Orange portion of the population; and though that element of evil was somewhat mitigated of late years, at least three-fourths of the officers of that force were to this day among the most embittered Orangemen in Ireland. Yet it was to this "small fry" that the execution of the Bill was to be committed. He (Mr. J. O'Connell), under these circumstances, hoped that the clause would be so amended as to make it necessary for a stipendary magistrate to be present at each search for arms. He said a stipendiary magistrate, because the local magis-

tracy was not always to be trusted. The appointments even to the stipendiary magistracy were not such as to give confidence to the people; but they were less objectionable than the local magistrates, many of whom might have a direct interest in the case. He instanced the appointment of Dr. Ryan to the stipendiary magistracy of Clonmel, in the county of Tipperary, as one specially objectionable to the people of that district, with whom he had always been in a state of bitter hostility. Yet the Government had not only appointed him in opposition to the wishes of the Members for the county and two of the boroughs, but they had actually gone beyond the law to do so, as he was older than the regulations for that office prescribed. In that and other respects Her Majesty's Government appeared to follow in the footsteps of the late Government, filling as they did posts of importance in Ireland with men who were known to be bitterly hostile to the people of that country. He begged hon. Gentlemen not to be led away by the statement of the right hon. Gentleman (Sir. G. Grey), as to the clause sanctioning the levying of half the expense of the carrying out of this Act on the disturbed districts—being merely a copy of the old Acts which had been passed in former times, with regard to outrages committed in England. It was the owners of property—the feudal barons—they upon whom the responsibility of carrying out the ordinary laws rested, that were compelled to pay the expenses incurred by the Coercion Acts centuries gone by. In fact, the Saxon principle, if carried out now with regard to Ireland, would make the stipendiary magistrates who had the charge of the disturbed districts, and not the people, responsible for the crimes and outrages committed in Ireland. And that was a most sound, wholesome, and excellent principle. If the Government persisted in their attempts to carry this Bill, and it received the sanction of the Legislature, he could only prognosticate its complete failure, and that before six months had elapsed from the time it passed, parts of Ireland would be covered with blood. It must have that effect inevitably. Any person who was acquainted with Ireland must know that if they attempted to levy the cess imposed by this Bill on disturbed districts, their attempts would be attended with the shedding of blood. It was well known that many districts could not even pay the poor-rates. Perhaps some might say, "Oh, but we'll send the police and military to collect the cess." But they had tried that system before; they sent the police and military to collect small sums of money which the people were disinclined, but which they were able to pay. He did not recollect what was the exact sum which they succeeded in collecting, but he recollected distinctly the proportion which it bore to the expense of its collection. They collected somewhere about 12,000*l.* or 13,000*l.* for tithes; but the expense of police and military amounted to 28,000*l.*, and at last the Government was obliged to desist and proclaim peace. But in the first instance they said, as they said now, that they would stand up for the dignity of the law, heedless of the feelings of the people; but they discovered in the end that they had taken a very wrong course, whilst, on the other hand, they might have at first made a virtue of necessity, and gained the affections of the people. He asserted with the most solemn conviction, that it would be utterly and hopelessly impossible to carry this Bill into operation, as far as regarded the collection of cess, without causing the shedding of blood. They could scarcely devise any more effectual plan than this Bill, if they wished to make the police, who were unfortunately unpopular in several districts, still more the objects of the people's aversion; and if the Bill were carried, they would also make the military, who had hitherto been popular in Ireland, the subjects of popular odium; they would also bring the Government and that House into contempt amongst the people of Ireland. He had hoped that, before this time, the Government would have brought forward some remedial measure which would have held out a sort of premium to the well-disposed, and shown the people of Ireland that the Legislature believed that there were other and better means of restoring peace to Ireland than the passing of Coercion Bills. But the Government had not given the slightest intimation of such a course; nay, there was every reason to believe that not only would the Bill pass that House in its present form, but that, when it reached the Committee in the other House, there was almost absolute certainty of still more stringent clauses being introduced into it. They might anticipate that, from the reports which had been published in the newspapers of the conversations that had passed in another place, and the compliments which were

paid to noble Lords who denounced the people of Ireland as murderers, and their priests as the abettors of murder. What could he expect from the right hon. Gentlemen on the Treasury Bench, when their Colleagues in the other House had even gone so far as to compliment that noble Lord who had once filled the office of Secretary for Ireland, and whose hatred of Ireland and her religion amounted even to insanity—what, he asked, could be expected from a Government that could condescend to compliment that noble Lord's denunciations of Ireland and her priesthood, and who had scoffed at confession, that solemn ordinance in the Roman Catholic Church, and which, of course, its members held in the highest veneration? He certainly did acknowledge that the provision in the Bill about the licensing of arms was a good one, inasmuch as it did not vest the power of licensing in the hands of the magistrates of the disturbed districts. Such magistrates would, of course, be keen partisans; and it would have been a sad provision if they had been constituted the judges in such matters. As he had had occasion to find so much fault with the other parts of the Bill, he must say that, in his opinion, Her Majesty's Government had, in this respect, taken a very wise course. He came now to a very severe clause, that which related to the old Whiteboy Acts. He most strongly objected to that provision, and on this ground, that whereas the powers of the Whiteboy Acts, severe and cruel as they were, could not be brought into play unless disturbance, crime, and outrage were proved to exist in a district, this Bill, whilst it proposed to let loose upon the people of Ireland all those severe enactments, did at the same time utterly do away with the necessity of any such proof. In fact, the Bill provided no security against those dreadful severities being put into execution in the most peaceable district of the country. It gave not the slightest shadow of protection, although the contrary had been stated in the speech of the right hon. Baronet (Sir G. Grey), when he introduced the Bill. The Bill would make an absolute and despotic dictator of the Lord Lieutenant of Ireland, who, without the slightest practical knowledge of Ireland, or the slightest proof of the disturbed state of any district, might proclaim the most peaceable portion of the country, and bring down upon it the horrors of this and the Whiteboy Acts. Now, he must say nothing was more strongly impressed on his mind than that Her Majesty's Ministers were engaged in a retrograde course with regard to Ireland. Before they assumed the reins of government they asserted that Ireland was not to be governed any longer by coercion, but by just and impartial laws; and they declared that, if such legislation were adopted towards her, she would soon emerge from her present state of gloom and poverty into one of brightness and prosperity. But now that they had the government of that unhappy country in their hands, they forgot their pledges and their professed principles, and were doing all they could to postpone that bright day, the advent of which they had so loudly trumpeted. They were going back to what might be called the dark ages of legislation towards Ireland; nay, more, they were going beyond what might be called those dark ages, for they were attempting to bring down again upon Ireland the severities and cruelties of the Whiteboy Acts, which were passed in the worst days of political and religious intolerance, without requiring the proofs which were required, even in those times, of the existence of disturbance. Her Majesty's Ministers were about to outdo, in severity towards Ireland, any former Government, notwithstanding the distinct declarations to the contrary on which they succeeded in obtaining office. Everything in Ireland would henceforth be at the will of the great dictator, the Lord Lieutenant. Even the Coercion Bill of 1833, which contained some very severe clauses, did not allow one step to be taken before a district was declared by a presentment of the grand jury of the district to be in a disturbed state, which presentment, of course, like any other presentment, could be traversed to the next assizes or sessions of the district. But this Bill trampled the law under foot. There was also another severity connected with this provision, as to the Whiteboy Acts, to which he strongly objected. Parties indicted under that provision would be indicted for a misdemeanor, whilst they would, at the same time, be subjected to penalties attaching to a felony. The effect of that provision would be, that the indicted parties would be deprived of the invaluable privilege of challenging the jury, which was allowed even to a felon—indeed he might observe, by the way, that, in his opinion, the right of challenge ought to be allowed in all cases. The eighteenth clause took away the right of traversing the indictment. And how, then, would the

Bill work? In this way—any policeman who chose to revenge himself on his neighbour—and any one conversant with the state of things in Ireland must know that there were plenty of such policemen—might lodge information against him, and before the party had the slightest opportunity to prepare himself for defence, without notice he might be called upon to answer any charge that the policeman might bring against him, and have no chance of procuring a postponement of the trial. It was well known that witnesses could be easily procured to support any charges whether made by the police or others. Now that, surely, could not be just. If the Government thought that by listening to the bloodhound cry of journals hostile to the people of Ireland, and the exaggerations of what was going on amongst them—if they thought that by ruling the Irish people by the iron hand of coercion instead of justice, they would succeed in establishing peace in that country, he must distinctly tell them that they would find themselves completely mistaken; and the fact that coercion without remedial measures had proceeded from a professedly Liberal Government, would only have the effect of still more exasperating the people of Ireland. The whole experience of Ireland was against coercion. Why, then, did not the Government act justly and wisely? Why did they not consider the case of the tenants as well as of the landlords? Why did they not show some regard to the constitution and to the law? He had gone through the chief matters in the Bill to which he objected. They were many and grievous. He had been indeed no way prepared, when he gave his consent to the first reading, for a Bill of such petty, minute, ingenious, torturing details. It was the most deceptive measure ever brought before the House. In other Coercion Bills there had been frank, bold, avowed oppression. In this enactment it was covert. This was an insidious, deceptive, sneaking Bill. It deserved no other terms. It did underhand that which its authors had not courage to do plainly and openly. It went beyond the powers of the worst clause of the worst previous Act. It was calculated to meet the people at every turn—to annoy them in their persons, their pockets, and their liberties. It was therefore that he felt it to be his duty most vigorously to oppose the Bill. He knew that that opposition would be ineffectual. He knew that he had no chance of defeating the Bill—that he had no chance of obtaining even a mitigation of the Bill; and he knew from what he saw stated in the newspapers, what was the bloodhound cry used to urge the measure forward. He knew that in another place, where the bitterest enmity, where an insanity of hostility to the Irish people had been more than once expressed, he knew that there, at least, the Bill had no chance of improvement. There, in the place to which he had referred, the cry was, "Down with the priests, punish the priests, oppress the priests, carry out the principle, crush the priests!" Oh, crush them, and see in what state you would soon have Ireland, deprived of her best and surest peace-makers! These were the men, indeed, who had alone controlled the exasperation of a people enduring suffering more intense than those of any nation on the face of the earth. But nothing could be done on their behalf. He found it utterly impossible to obtain even a shadow of justice. Government had turned their minds against Ireland. They had told the people of relief, and now withheld it. They could not even name the distant day when their measures of relief would come. Why did they not come forward with the Landlord and Tenant Bill? The House was told that Government found the subject too difficult, and that it must be put off. But at all events let the measure be introduced. Even were it not passed—were it to be laid upon the table before Christmas—were Ireland to be allowed to see its provisions, to assure itself that they were those of an honest Bill—were only this to be done, he did assure the Government that it would do much towards facilitating the restoration of peace in Ireland. In the meantime he, and the other Irish Members who acted with him, felt that they, at all events, had done their duty. If blood were shed, let it be on the heads of those who would not stay these calamities. He and those who acted with him would have at least the consolation of knowing that they had done their duty to themselves and to their country.

Mr. B. COCHRANE said, he was, indeed, surprised at the speech which had just been delivered by the hon. Member for Limerick (Mr. J. O'Connell). He (Mr. Cochrane) understood the Hon. Member to say, when this Bill was introduced, that if he did not give it his most cordial support, he at all events recognised the necessity of such a measure. But it appeared that

the Hon. Gentleman now turned back, as if afraid—

"E'en at the sound himself had made"—

and he now took a totally different view of the Bill, which he declared was introduced in compliance with a bloodhound cry. The hon. Member had compared that part of this Bill for the Prevention of Crime and Outrage in Ireland with other measures which had been brought forward at different periods; and he compared, at the same time, the state of crime in Ireland now with the state of crime at other periods. He was rather astounded that the complaint made against this measure was, not that its provisions were too severe, but that they were not sufficiently coercive. He had expected that the hon. Member would have insisted on the Bill being made more stringent, rather than have delivered such philippics as he had delivered in that House against the Bill. The hon. Gentleman appeared to him to have but one panacea to meet the difficulties of Ireland, and that was, that England should send plenty of money to Ireland. He must say, that his feeling was, that all legislation should go upon this principle—that all that Government was bound to do, and all that Government could do, was to call forth the energies and the resources of a nation; but that it was most foolish to hold that any Government, as a Government, could stand between the dead and the living, that the plague might be stayed. Though every one must lament when famine, and pestilence, and suffering fell upon a nation, yet he contended that the alleviation of that distress was not the especial province of Government, but of private charity; and he would ask hon. Gentlemen in that House, whether that private charity had not been most nobly and generously extended by the people of this country to Ireland during her recent calamities? He must say, further, that if there were any bright spot which he should have expected to discover in the great darkness which overwhelmed Ireland in the present time, it would have been the gratitude, the kind, generous, and grateful feelings that the conduct of this nation ought to have called forth. And, therefore, when the hon. Gentleman had stood up, as he had done the other night, and said England had done nothing for Ireland—when he said that Ireland owed no debt of gratitude—and that we were bound to do what we had done—he uttered language which in his mouth was most grievous to hear. As he had before said, he contended that the chief duty of a Government was to call forth the energy and industry of its people, and not to stand entirely *in loco parentis;* but they did call upon the Government to stand *in loco parentis;* then it was the first duty of the Government to do all in its power to prevent crime and outrage in the country. He should like to ask the House how far they had ever found any favourable result from their concessions to Ireland? After 1793, when the penal laws were abrogated, came the United Irishmen of 1796. It was then that a treasonable correspondence was kept up with France, and that the Irish Rebellion broke out. After the Catholic Relief Bill—that Relief Bill which the Duke of Wellington said would give security to the Church, and strength to every department of the Government, and tranquillity to the country at large—after that measure, after the names of Anglesey, Fortescue, Besborough, and now Clarendon, had been added to the list of the great and good men who had governed Ireland—they found the country in as bad a state as it ever was, and even worse than when placed under the most stringent system of coercion. He held in his hand copies of letters which passed between the Duke of Rutland and Mr. Pitt in 1783, the Duke of Rutland being then Lord Lieutenant of Ireland.

"That country," says the Duke of Rutland to Mr. Pitt, "must be governed in the most manly and undaunted manner; and he stated frankly that, however much Great Britain might wish by legislative measures to ameliorate the state of Ireland unless she ruled with a firm hand, that country would never be at peace."

And such he believed was the case with Ireland now. They might go on granting and granting to Ireland, but unless they were determined to make their stand somewhere, and insist that the law was to be carried out in all its vigour, he believed that further concession was perfectly useless. The hon. Member for Nottingham (Mr. O'Connor) brought forward the other night the question of Repeal. He (Mr. Cochrane) thought it was a significant occurrence that an English Member had brought forward that question; and he would warn the hon. Gentlemen who advocated repeal to take care that the cry of repeal did not at last come from this side of the water. He believed that that day would come. He remembered the words of the right hon. Baronet the Member for Tamworth, in 1843, when he said, with refer-

ence to the impression which the advocacy of the repeal of the Union seemed to convey, that Irish interests were sacrificed to British interests by the maintenance of the Union, he believed that a repeal of the Union would be fatal to both countries; it would be dangerous to England, and Ireland would become the most wretched, the most distracted, and the most outcast part of the civilised globe. Irishmen do not know, said the right hon. Baronet, how much they owe to the Union with England. When he spoke of the repeal of the Union, he did not mean merely that repeal which the hon. Member for Limerick advocated, namely, the sitting of a Parliament in College Green. He remembered the hon. Gentleman's father insisting on the desirableness of a Parliament sitting in Dublin, because then, said he, "if your Members did not vote exactly as you liked, you could knock them on the head with your short knob-sticks." Now, that was not the repeal of the Union which he meant. He believed that the day would come when this country would call out, unless Ireland changed her conduct, for the entire repeal of the Union. Ireland would then be left to its own resources. [*Ironical cries of* "Hear!"] Hon. Gentlemen might cry "Hear;" but he should like to know in what sort of position Ireland would then be. He could not help referring to the tone and temper of the speeches of the hon. Gentlemen opposite, and of those of the Irish priests to their constituents in Ireland. He at least could not be accused of any bad feeling towards a body of men whom he believed to be truly respectable, having himself, no longer ago than the previous night, given his vote in favour of the Roman Catholic Relief Bill. But he did say this, that they had a right to look to the language that was made use of by those gentlemen. At that very meeting at which Archdeacon Laffan had uttered the violent language attributed to him, Mr. John O'Connell was present. At that meeting they had a clergyman denouncing landlords, and talking of the Saxon not daring to shoot those whom he considered his oppressors. And Mr. John O'Connell made a speech in which the following occurred:—

"Your clergy, your beloved clergy, ever true to you, and to you have been, as you ought ever to be, true, and whose counsel, if you listen to them as you have ever listened, must keep you safe—I say that beloved clergy would not be here, if you or any of us were to commit crime. You who are assembled here this day have come for a pure and holy object;"—

Good God! 'a pure and holy object!'

—"You have come to look for the preservation of order, for the preservation of society, and when we go to Parliament we shall be able to tell them that the men of Tipperary, so long oppressed, so long calumniated, so long denounced, have assembled in peacefulness and good order to demand their rights."

And all this was said at the very same meeting that Archdeacon Laffan delivered that horrible and iniquitous address. Who could have believed that that address would have been suffered to pass without rebuke? Was there in that address any "peaceful assertion of the great rights of society?" Then came Mr. Maher, who said—

"Some of them were so sanctimonious that they would sooner spend hours listening to a stupid preacher, than to the important truths inculcated at that meeting."

"Important truths" those were, certainly, to be imparted to his fellow-countrymen. It was one of the highest importance, no doubt, that their fellow-countrymen should be told by Archdeacon Laffan that the Saxon had not the courage to shoot him whom he supposed to be his oppressor. He (Mr. Cochrane) therefore contended that every man, as a gentleman, as a man, as a citizen of the world, was bound to have expressed his abhorrence of such horrid language. But was that all? He found that high authorities in the Irish Church did not complain at all of this language, made use of by the inferior clergy. He found John, Archbishop of Tuam, said—

"I cannot but congratulate you, and the Catholic people of Ireland, whose sentiments of attachment to religion and public order are so happily represented in your association, on the tone and manner in which you have treated the representatives of the Holy Father to his faithful children in Ireland."

Dr. Ryan, the Bishop of Limerick, said—

"The higher classes, forgetful of their Christian obligations, trample on those they are placed over; they treat them like cattle—cold and callous to the voice of humanity—dead to the ordinary feelings of commiseration—untouched by the cries of famine and pestilence, the wailings of hunger, the lamentations of women and children, and the terrible condition of the poor man—they exercise over their victims a system of heartless cruelty, calculated to bring down the vengeance of Heaven on their heads."

He asked the House, was this language becoming men who styled themselves the pastors of the people, and ministers of

peace? Was it right or proper that Government should stand quietly by whilst those men inflamed and exasperated the passions of the people? Were they to be allowed to go on denouncing and pointing out the victims for assassination? Was not such heartless cruelty calculated to bring down the vengeance of Heaven upon the land? He admitted the distress and suffering which the people endured; but this very fact rendered them tenfold more susceptible of such inflammatory language. He had no hesitation in saying, that men using such language, whether curates, parish priests, or bishops, in whatever light they might be regarded by the law, were, in the eye of Heaven, accessories before the fact, and the instigators of murder. Their guilt was aggravated by their cowardice—

> "With the cold caution of the coward's spleen,
> Who fears not guilt, but always seeks a screen,
> And keeps this maxim ever in the view,
> What's basely done should be done safely too."

He regretted to see men in such a position, and with so much influence, such evil counsellors. One would have thought that, as Christian men, not to say as pastors, they would have been unceasing in their endeavours to assuage the angry feelings of their flocks, and by good advice and example endeavour to keep them out of the path of crime. In the words of Wesley, he would call on Her Majesty's Government vigorously to exert the laws against those who by their lives and principles inflamed the people to madness—to teach the people that there was a difference between that liberty which was glorious, and a licentiousness which was only its abandoned abuse. How (said he) shall we appeal to the feelings and touch the hearts of this infatuated people? Never—until the cause of that infatuation is removed; never—until the Government are prepared to act with vigour, and shrink from no responsibility, to strike at the root of the evil, and to teach the people that the law, like death, levels all distinctions. Then, and not till then, will we have such a union as will be binding and real, and without which it would be better to have a union of kind feeling and of Christian virtue only.

Mr. HUME could not understand what the opinion of the hon. Member for Kilkenny of that House must be, when he asserted as facts what were fallacies, and attempted to impose on the public allegations that were not borne out by the facts. He (Mr. Hume) would not go beyond the present time; but no person was ever more constant and true than he had been against the system of coercing or ill-using the people of Ireland. He had throughout advocated the removal of all ground of complaint, and that they should be treated in a manner to make them satisfied with the Government. If there were any charge of inconsistency against the present Ministry for proposing a Coercion Bill now, having on a former occasion voted against the measure of the right hon. Baronet the Member for Tamworth, it lay equally against him; for he voted on that occasion against that Bill. He had always voted against Coercion Bills; but was this a Coercion Bill? Was there anything in it that consigned the whole people of Ireland to coercion? No; and yet the hon. Member for Limerick talked of this Bill as a Bill to attack and punish the people of Ireland. He (Mr. Hume) denied that allegation. It was intended to punish those who committed murder—who caused mischief, and disturbed Her Majesty's peaceful subjects. It was not to coerce the people of Ireland, but to give protection to the innocent, that they might honestly follow their occupation without molestation; and they had a right to demand from that House such protection. The Bill was to punish the few who violated the law; it was inappropriate, therefore, to say that it applied to the whole of Ireland. Then the hon. Member said, "We, the Members for Ireland, are against it." He (Mr. Hume) had looked at the division list—and had he been in his place he should have swelled the majority in favour of the Bill—and he found that, out of 105 Irish Members, only 14 had, in the first instance, voted against it; and on the second occasion, only 13. Taking the aggregate, they were in the proportion of 91 to 14, and 92 to 13 in favour of the Bill. 33 and 34 had actually voted for it. It was too much, then, to say that the Irish Members were against it. The hon. Member had repeated so often, "We, the people of Ireland," that he was reminded of the old story of the three tailors of Tooley-street, who began their address, "We, the people of England." The hon. Member put himself in the situation of the three tailors of Tooley-street. He flattered himself, and was inflated with the idea, that he was the representative of all Ireland. He (Mr. Hume) was not now a representative for Ireland; but had he been so, he should have considered himself called upon

to deny the allegation of the hon. Member. The hon. Member spoke for himself and a few whom he was considered to represent; but the notion of his being the representative of Ireland was altogether unfounded. Another charge, of a most serious nature, which the hon. Member brought against this Bill was, that it placed the people of Ireland under the dictatorship of Lord Clarendon; that he could do what he pleased; that it was to invest him with absolute power. But the hon. Member had either misconceived or mistaken the powers conferred by this Bill; no such thing could be done but by the intervention of the Privy Council. The hon. Member had spoken of the inconsistency of some Members of that House; but why had he not taken care of his own? He (Mr. Hume) found a very curious letter, signed "J. O'Connell," (dated, "Library, House of Commons, 11½ P.M., 29th November,") and addressed to the editor of the *Freeman's Journal*. That letter was written to show to the whole Irish nation what was the opinion of the self-styled representative of all Ireland. The hon. Gentleman said—

"The Government proposition to-night is to give the Lord Lieutenant power to increase the police force in the disturbed districts, and to prevent the carrying of arms in the same. Arms, however, may be retained at home by all who apply for license, not to a magistrate, but to the Government officer, sent down to hold a kind of sessions for the purpose. The Bill is to be only of partial application."

Now, was not this a very fair statement of the scope and aim of the Bill? And how did the hon. Member reconcile this criticism with what he had stated of the Bill that evening? How were they to explain his inconsistency between the remarks on the 29th, and the speech that night? The hon. Member in his letter went on to say—

"And the moment the Lord Lieutenant has withdrawn his proclamation, the right of carrying arms will be again allowed. This is, it must be acknowledged, very different from what we expected, and, if fairly administered, may not inconvenience any but the authors of these disturbances."

This was the very reason why he (Mr. Hume) supported the Bill; this was the reason why the Government should be supported by every lover of rational liberty.

"The new measure may in the disturbed districts be useful, and the increase of police is absolutely necessary,"—

said the hon. Member, in his letter to the Dublin newspaper; and what, therefore, was his justification for the tone he had taken that night? The hon. Member was not treating the subject as became him; if he was anxious to see justice done to his country, and to have her grievances redressed, the hon. Member would do well not to bring forward unfounded charges. To the statement of real grievances the House would be always attentive; but all confidence would be lost in the hon. Member if he made assertions altogether unsupported, and completely at variance with what had been said by himself on former occasions. The hon. Gentleman complained that the policy of this country to Ireland had always been oppressive. Perhaps, if he (Mr. Hume) referred to past speeches of his own, the same sentiment would be found declared; but it was useless, and loss of time, to go into that question now. Past policy would not warrant them in sitting still when assassins and murderers were in the land. There could be no justification for those murderers, and no justification for the Legislature if they were left unpunished. He had listened with the deepest regret to that speech of the hon. Gentleman the other evening, in which he entered into a long argument to show that these outrages in Ireland might be somewhat excused, on the ground that the conduct of the landlords was cruel and unjust. It was a dangerous office to assume, that of an apologist for murder; and he believed that the statements read by the hon. Member from the newspapers were wholly unfounded. The colouring given by the hon. Member to the conduct of Major Mahon was as different from the truth as light from darkness. Allusion had been made to the case of Mr. Cardan; was it meant that he ought to be punished because his conduct, in the view of the people, was oppressive? Did the hon. Member know that this gentleman had been shot at seven different times; and was he now to be held up by the priests, supposed to be peacemakers, to the execration of the whole of Ireland? If the hon. Member was a lover of peace, and anxious to save blood, he was not taking the means by which he might accomplish his object. He had warned the Government that if this measure were carried out, blood would be shed; but had not blood been already shed? And let the hon. Member not forget that while by these tirades he was obstructing the progress of the Bill, more murders might be added to the list. It was not true that the people

of England were retrogading in their love towards Ireland. He could give the hon. Member the results of his own experience; and during the whole of his long public life he had never attended a public meeting, whether of the working or other classes, where the wrongs of Ireland had been spoken of without having heard the cry of "Shame!" burst from the assembly. And when, in the favourite words of the hon. Member's deceased relative, "Justice to Ireland" was demanded, the expression of public feeling was always sympathetic, and the response invariably was, "Let justice be done." The people of England saw abuses by the Irish, and they would not tolerate them. They heard of a priest denouncing from the altar, in the morning, some obnoxious individual, and they heard again that in the evening that individual had fallen by the hand of the assassin; and when they knew that this wretched murderer could afterwards obtain absolution from the priest for his abominable crime, they could not be ignorant of the power possessed by the priests, and they could not but question if that power was exercised to the best purposes. If there was any class of men in Her Majesty's dominions who ought to be more especially circumspect than another in their public declarations, it was the class of parish priests in Ireland. Their exemplary conduct, in general, as pastors, their strict attention to their duties, the readiness with which they granted aid to their distressed parishioners, and the reverence paid to them by their own flocks, gave them the greatest possible influence for good or evil; every word they uttered was important, and they should be, particularly at this period of excitement, excessively cautious in using any expression which might convey condemnation or dislike of any person in their neighbourhood. He had always maintained the interests of the Catholic clergy, from the highest to the lowest; he had struggled during his public life to place them on a footing of exact equality in civil rights with the clergy of the Protestant Church; and he had looked anxiously to see the heads of the Church taking some decisive step, cautioning their clergy against the use of the expressions imputed to them. He did not doubt that all he had read in the newspapers was true; and, as the heads of the Church had had the same opportunities for observation, it behoved them, in the station they filled, to have come forward to caution the priests for the future, if the allegations were true, or to undeceive the public if they were false. For these reasons he regretted to see the Irish Members offering an opposition to the Bill which was altogether unjustifiable and unnecessary. The hon. Member knew enough of the customary observances of the House to be aware that, not having voted against its introduction, the objections which he entertained to the Bill should have been offered *seriatim* in Committee. As a consistent man, the hon. Member ought to have supported the Bill until it had been committed. It was true that the Government had still much to do in bringing forward remedial measures; but it could be no reason for rejecting this Bill that this came first. This was a remedy for murder; and to stop murder was the most important of the objects they could now have in view. No doubt the Government would not fail in its duty; there would be no loss of time in entering upon that policy of conciliation towards Ireland which would eventually make the people contented and happy; but in the meantime this Bill must be carried, and without any delay. He feared the evil was deeper than might at first appear. He feared there was a deep-laid conspiracy against the payment of rent—a conspiracy, in fact, against property as against life. And what were the foundations for security in society if property was not to be protected? If such designs were in contemplation, the responsibility would rest upon Her Majesty's Government of looking deeper into the state of Ireland than was at all contemplated by this Bill. He was glad that Ministers called for no law that was not constitutional. This Bill was not unconstitutional: protection was wanted for life, and no more was proposed to be given. Would any Irishman or Englishman say that less should be granted? Things had arrived at that pass that the Government was bound to step in, and until peace was restored there would be no chance of employment being offered, or of habits of industry arising among the people. At present it could not be expected that any wealthy man would remain in Ireland, or that any capitalist would speculate there, in land or otherwise, when they saw every landed proprietor of liberal feelings, and testifying anxiety to improve the condition of those around him, threatened with assassination or absolutely murdered. The new cry of tenant-right appeared to him to be a proposition for the tenant and landlord to be

come joint proprietors, and there could not be a more dangerous notion. A law to that effect would attack the root of all industry, and render the people more miserable than ever. He had seen some letters lately, describing the condition of an estate in Ireland. The parties were in arrear for three, four, and five years; they had been requested to give up the land or to pay the rent; and their reply was that they would do neither the one thing nor the other. The land in several places remained altogether barren; but they resisted until the sheriff was called in, and even when they were ejected the landlord was obliged to pass by all arrears, and, still worse, to pay them for going peaceably. Was this to be tenant-right? and if such a system were acted upon, could they expect to secure prosperity in Ireland? While no one was more anxious than he was to accord every proper privilege to Ireland, he could not witness, without condemning, the attempt now made to resist the Legislature in taking measures to protect life and secure property.

MR. CALLAGHAN could not help thinking, after the speech they had just heard, that the hon. Member for Montrose was "fallen, fallen from his high estate." The hon Member had most decidedly failed in explaining his change of opinion towards Ireland. They, the representatives of Ireland, had looked to the hon. Gentleman as a fair arbitrator, who would be likely to acknowledge the rights and anxious to maintain the liberties of their country; and, thus disappointed, he felt more than ever desirous of seeing that state of things when the Legislature to which Ireland had to appeal would be of a character more impartial and more merciful than at present. He thought that the hon. Member for Limerick had acted with perfect consistency. The Irish Members had at first been agreeably disappointed at the apparent mildness of the measure, and they had, therefore, offered no opposition to its being introduced. They had since found that it gave irresponsible power to the Lord Lieutenant; and on that ground he, for one, now objected to it. The hon. Member for Montrose seemed to take all the charges uttered against the Irish priests for granted, merely because the calumnies were generally believed in England. The hon. Member proposed to direct the hierarchy of the Catholic Church as to the course they should pursue with the priests; but he would find he was assuming a very dangerous office. He (Mr. Callaghan) denied altogether the charges against the clergy. The hon. Member for Tipperary (Mr. Maher) had sufficiently disproved the insinuation that Archdeacon Laffan had offered any encouragement to outrage; he had exhorted the people to preserve peace and protect the law, and it was now a gross injustice to repeat the charge. The expenses of the operations under the Bill were to fall upon the districts. Now, the Government had given the House no information as to the cause of these assassinations, and by whom they were committed; the Bill was founded on the supposition that they were perpetrated by the lowest orders, and yet the expense was to fall upon the tenant-farmers and other classes not implicated in the crime. If the knowledge could be arrived at of who the parties were who were really guilty of these murders, one difficulty in the way of legislation would be removed. He had read that a noble Lord, a friend of his, had come forward at a large public meeting, at which Mr. Roe's case was discussed, and had said that he knew all the facts. Now, if that were the case, he could only have gained his knowledge from some person present at the murder; and if so, why was not that man produced to prove what he knew? He did not see how this Bill could protect life and property; he did not object to it because it was not at once accompanied by remedial measures, for he did not disbelieve the Government when they said that they would bring forward such measures; and he was not one of those who expected that such questions as the relations between landlord and tenant could be solved at once. He concurred with the hon. Member for Montrose in the hope that nothing would be done by that House in reference to this question of landlord and tenant which would be unjust to any man. The landlords of Ireland were disposed to agree to any fair and reasonable proposition; but the difficulties of the question were very great. He had not been in communication with any Member of the Government, and could not pretend to accurate information of the fact; but he had heard that a Bill upon the subject of landlord and tenant had already been prepared by the Government, and had been submitted to the Lord Lieutenant, and returned by him to be altered, as he did not consider it properly adapted to its purpose. He was not disposed to cast any doubt upon the sincerity of the policy avowed by

the Government of proposing remedial measures, nor was he desirous of deferring legislation for the protection of life and property until those remedial measures were actually before the House; on the contrary, he would join heart and hand in assisting any honest attempt which he believed would attain that object. Much had been said about statements that had been made by Roman Catholic priests from the altars. Now, there was not a chapel in the country at which some well-educated and loyal men did not attend; and he did not believe that any Roman Catholic clergyman would dare to get up in the face of his congregation and make any statement calculated to lead to assassination and murder. It was the habit in every country chapel to take notice of deaths and marriages, and of any remarkable occurrences that might have taken place in the parish; but these notices were generally of a harmless kind, and, indeed, tended to do good. Ireland had had too many Coercion Bills already, and he could never vote for one.

Mr. O'CONNOR would not follow the hon. Member for Montrose into the confessional, because, upon that point, the hon. Gentleman had answered himself; for he had remarked upon the facility with which absolution for these murders could be obtained, and in the very same breath had spoken of the high character of the Roman Catholic clergy. If one reason more than another could be shown for producing remedial measures contemporaneously with this Coercion Bill, it was to be found in the statement of the hon. Member for Montrose himself, when he said that at every great public meeting he had attended, the people of England, when the question was mooted, had always denounced the tyranny and oppression exercised by the Government of this country over the Irish people. He would, however, turn from the remarks of the hon. Member for Montrose to the Bill itself, which he could now show even better grounds for opposing than he had done at first. The Bill was a constructive Coercion Bill, and so it had been admitted to be by the right hon. Baronet himself, in answer to the right hon. Gentleman the Member for Tamworth, whom the right hon. Baronet had told that the Bill embraced all the previous Acts of coercion that could be put in operation at the will of the Lord Lieutenant. It was then that he (Mr. O'Connor) recognised in this measure a great legal draw-net, and that its presumed mildness was nothing but a mockery, a delusion, and a snare. There was no better way of answering a Whig Government than from its own lips, and he could do so effectually on this occasion, but, unfortunately, was not prepared with the formal indictment; for he had searched the library in vain for the 85th volume of *Hansard*, containing the speeches of the noble Lord opposite at the time the right hon. Baronet the Member for Tamworth introduced his Coercion Bill. However, he had a pretty good memory, and remembered perfectly well the substance of the speeches made by the noble Lord and right hon. Gentleman now in the Government in opposing the introduction of that measure. The ground of opposition was, that remedial measures were not at the same time introduced; and hon. Gentlemen now in the Government declared then that until that was done they would resist the Bill in every stage. And what was the state of Ireland at that time? It was described by the noble Lord the Member for Lynn as in a more riotous and disordered condition than it was represented to be at the present time; but still the cry was that the Bill should not be passed until remedial measures were produced. And if he required further reason for opposing the present Bill, he should find it in the tactics then pursued by the hon. Member for Buckinghamshire and his party, but which would probably not be the same now as when the object was to turn out a Government. Up to this hour, where were the remedial measures that had been promised for Ireland? The hon. Member for Montrose had said that he would oppose the giving an equal title to the tenant and the landlord; but the Landlord and Tenant Bill that he would support was one which confirmed the property of the landlord, while it enforced the performance of his duties. At the same time, he would make ejectment more easy than now. He would not only give an interest in the land to the landlords, but to those who cultivated it. He wished the House now to consider what had caused the two last Coercion Bills for Ireland; and he could show that the conduct of the landlords and the Protestant clergy in that country had been the direct cause of the two measures of 1823 and 1833. What produced the outrage and confiscation of property in 1823? Four bad harvests had taken place; the people were not able to pay war-rents; and yet the landlords, accustomed to receive

them, would not abate one farthing so long as a particle of property remained to be distrained upon. At the same period, too, so dreadfully hostile was the Protestant clergy to the people of Ireland, that when the war tithes could not be recovered by themselves, the parsons let the tithes to the proctors for three-fourths of their value upon condition that they did not remit the other fourth. Similar oppressions preceded the Coercion Bill of 1833. With respect to the present Bill, he maintained, that it was at once folly and injustice towards the Irish landlords to give the Lord Lieutenant this shut-up knife, with as many blades in it as he chose to open; for he was certain that the Irish landlords would find in the end that they had been the greatest sufferers by it, and they, as well as the English landlords, would be led to exclaim, "Why did we not look to remedial measures instead of having the agricultural labourers thrown upon us for their bread?" The law, as it at present stood, had not been applied in Ireland alike to the rich and the poor man. A cousin of his (Mr. F. O'Connor), who had been educated in England, was appointed, upon his leaving Oxford, to the office of stipendiary magistrate in Ireland, and the first case upon which he had to adjudicate was a summons by a labourer against a landlord for wages. He gave his decree against the landlord, and the consequence was, that the landlord next morning called the magistrate out, and the magistrate had the misfortune to shoot his adversary. [*A laugh.*] Such was the state of society in Ireland. There was a laugh when the landlord was shot in a duel; but there was sympathy for him when he was otherwise shot. Why not better the law in Ireland? Let them teach the peasantry to rely upon the ordinary law of the land in the same way that they had done with respect to the colliers in the north of England, whose disorders were wont only to be increased by extraordinary measures, but who had become quiet and peaceable by a mild administration of the ordinary law. If, then, a system of relaxation and the habit of teaching the people to rely upon the ordinary law, had had the effect in England, why not try the same thing in Ireland? It was because they thought they were a strong Government, and that they could do as they pleased with Ireland. The Government had been asked in vain to produce their remedial measures along with this measure of coercion. Their answer was that they intended to bring forward a Landlord and Tenant Bill, but there were such difficulties in the way that they must have more time to consider it. Well, suppose they had no Landlord and Tenant Bill ready—had they no other Bill? Were they so incapable that they could do nothing for the Irish people but coerce them? There was the hon. Member for Rochdale (Mr. W. S. Crawford), an Irish landlord. He did not ask them for a Coercion Bill; and, just as he believed the thirteen Irish Members who had voted against this Bill to be better representatives of Ireland than the other ninety-two, so he believed the hon. Member for Rochdale to be a better representative of the Irish landlords than those whom the Government were in the habit of listening to. It was a curious fact that when there was anything required to be done for England, there was an easy way of doing it; but when anything was required for Ireland, it was felt to be such a complicated question that it required twenty-five years to look at the principle, and other twenty-five years to look at the details. He admitted that the present Bill was mild in appearance; but it was capable of being stretched to any purpose the Lord Lieutenant chose to apply it to. He asked again, where were their remedial measures? He might probably be told, "Oh, though they are not on the table of the House, they are in our box; but we do not wish to distract attention just now when the object is to arrest assassination." ["Hear, hear!"] The right hon. Gentleman the Secretary for Ireland cried "Hear;" but what did he say when he sat on the other side of the House? The right hon. Gentleman then said, "You must not bring in a Coercion Bill unless you precede it by remedial measures;" and he moved an amendment to that effect. Now, he did not ask the Government to bring in their remedial measures first; he merely asked that they should proceed *pari passu* with their Coercion Bill. The reason why the Government were so tardy in introducing remedial measures was, that they did not understand Ireland, and were afraid that by chance they might trench upon the rights of the landlord; but he maintained that they could not by possibility do justice to Ireland without at the same time doing justice to the landlords. The Government showed extreme sympathy with the Poles, with the people of every nation on earth except the Irish; but when the history of their own day and their own rule came to

be written, it should be characteristically written in blood, for they had made a Golgotha of Ireland, and destroyed its peace and prosperity. It was strange that the law officers of the Crown were not present on that occasion to tell them whether or not this Bill embraced all the previous Coercion Bills, as he believed it did. With respect to the Catholic priesthood of Ireland—to whom allusion had so often been made in the course of these debates—he, as a Protestant, begged to say, that he had had more intercourse with them than any Catholic in Ireland; and for this reason, that the Catholics had intercourse only with the priests of their immediate neighbourhood, while he had mixed with them in all parts of Ireland; and he defied hon. Members to point out to him a more pious, forgiving, humane, religious, or excellent body of men. In fact, the fault he had to find with them was, that they were too subservient to the landlords in their neighbourhood. Whenever they happened to be anything good at all they held them up to the admiration of their flock; but he did not believe that they denounced them from the altar. If the conduct of the landlords merited denunciation, it was sure to be known sufficiently to the people, who would not require the priest's word to urge them on.

Lord DUDLEY STUART considered that it was a most melancholy circumstance that that House should now be called upon to consider a measure of this kind, after so many years of professions from various Governments, and he believed the honest professions, of a desire to ameliorate the condition of Ireland. He felt that it was most melancholy that they should at that time of day be occupied in discussing a measure in some degree coercive in its character. He fully admitted that the people of Ireland had been brought into their present condition by the misconduct of former Governments—by misgovernment conducted during years and centuries. The seed of the present state of things had been sown by former Governments, and that was a reason why he thought that the House was doubly bound to do all in its power to promote the welfare and advantage of Ireland, as some compensation for the injustice and misgovernment which she had experienced. He thought that was a reason why they should look upon the faults and offences committed in Ireland with indulgence. But that was no reason against passing this Bill, which was meant not to press upon the people of Ireland, but to put a stop to a state of things which was almost without a parallel. Some of the hon. Gentlemen who represented Irish constituencies had spoken as if there was some hostile feeling in that House and in the country against the people of Ireland. He utterly disclaimed all feeling of the sort. He utterly disclaimed it for the constituency which he represented, and he disclaimed it for the country at large. He believed that the people of England desired that their Irish brethren should participate in every advantage which they themselves enjoyed; and he could not take that Bill as any proof to the contrary. The hon. Member for Limerick had made use of an expression the other evening with regard to the feeling of that House towards Ireland, which he had heard with a great deal of pain. The hon. Member, deliberately repeating what he had asserted in heat and exasperation, said, that there was not one instance in which a feeling of kindness or justice had been expressed in the House towards his country. He (Lord D. Stuart) lamented to hear such words from one bearing the name which the hon. Member bore—a name which he should always pronounce with that admiration due to transcendent talents exercised, as he believed, according to the dictates of duty, as understood by their distinguished possessor—he lamented to hear such words from an hon. Gentleman, who, in consequence of his bearing that name, might naturally be looked upon as one who stood high in the confidence of the inhabitants of that portion of the empire to which he belonged. But he confessed he had been greatly consoled when, on a division, he had found the hon. Gentleman exciting so little sympathy among his Colleagues that he had actually been placed in a minority of his own countrymen. An endeavour was made to show, not only that bad feeling prevailed against Ireland in that House, but that it pervaded the whole people of England; and some expressions in the *Examiner* were quoted, in which the writer, in the glowing language which belonged to him, said, that the people of England were ready to support the Government in a much stronger Bill than this, and even to assent to a Bill which should enact that a man should be first hanged and then tried. He believed that the article alluded to contained a great deal of truth; but the hon. Member who made the allusion must know, no man better, how quickly popular feeling passed from one extreme to the other. The hon. Member did not appear

to know, although he ought to know and to acknowledge, how great sympathy prevailed throughout this country for his suffering brethren. The hon. Member thought nothing of the 10,000,000*l.* voted by this country, though a relative of his, by the by, a short time since, seemed inclined to deny the 10,000,000*l.*—he meant the hon. Member for Tralee, who said he should like to have it proved that a quarter of a million had been devoted to this purpose. [Mr. M. O'Connell: I said I should like to see it proved that a quarter of the sum had been expended.] It would be found, by reference to the documents connected with the subject, that more than 7,000,000*l.* of the sum had been expended. It was perfectly true, no doubt, that the people of this country were ready to support the Government in a much more severe Bill; but it was not that they hated the Irish people, but because they hated the murderer—because they hated the assassin—because they could not, they would not, bear the cowardly villains who shot at their fellow-man from behind a wall, through revenge for either real or supposed injuries; and they were resolved to do what they could to put an end to such a state of things, not by idle proclamations—not by sermons nicely balanced between inflammatory sentences on the one part, and entreaties not to commit crime on the other—but by real practical measures. Did any man suppose that if a similar state of things existed in any county of England, this House would not be ready to enact measures of the same kind? Great pains had been taken to show that this measure could not prove a cure for the evils incident to the ancient condition of Ireland; but who ever supposed that this Bill was presented with such an object? It was not presented as a cure, or as a remedial measure, or as something instead of a remedial measure. If they saw a maniac rushing about endangering the life of every one, would they not at once lay hold of him, and bind him, so as to prevent him doing any more harm? They would know that the strait waistcoat was no cure, but that it was the first step to be taken by every one who wished really to arrest the evil, and would be the most humane course, even though his insanity had been caused by previous cruel treatment. Surely it could not be called in any degree a severe Bill. An hon. Member for some place in Ireland, in one of the debates on this question, declared that it did not deserve the name of coercion; and surely with such a feeling on the part of the people of England as had been described, some credit was due to Ministers for not having attempted to introduce a more severe measure. One hon. Member had referred to an Italian authority in reprobation of sanguinary laws, from which one would really conclude that this Bill was one of the most violent description, instead of a measure whose highest punishment was imprisonment with or without hard labour. It was said that remedial measures ought to have been introduced at the same time. He certainly did agree in a great many things with many Gentlemen who opposed this Bill; but they appeared entirely out of place and beside the question. He was exceedingly anxious to see remedial measures introduced for Ireland—he heartily hoped and sincerely believed they would be. He did not say that he should not have been better pleased if the Government at the same time that they introduced this Bill had laid on the table of the House a series of Bills of a remedial nature. He should have felt that they were more completely in the right. The question, however, with him was, should he, because they had not done so, do what in him lay to obstruct this Bill, which was to protect human life, and give to the Government the means of discharging its first duties. He could not consent to act in that way—he wished the Bill to pass—he thought there was an immediate necessity for it—and he even grudged the time which he now occupied in addressing the House on the subject. It was not, however, his intention to detain them long; but as the representative of a very numerous and important constituency, he did not feel it becoming, or consistent with his duty, to allow this Bill to pass with a silent vote. The hon. Member for Limerick had demanded, amongst other remedial measures, money. Give us money, said the hon. Member. The Government had not declared even that they would not give money, but had told the hon. Member their determination—their wise determination—not to grant any more money until it had been proved that all the resources of Ireland had been exhausted. In that he believed the Government had the complete assent of the people of England. It was with communities as with individuals, you did not always confer on them the greatest benefit by donations in money. He believed, on the contrary, that you conferred much greater benefit by teaching the people how to support themselves—by teaching them to rely on themselves—and

by putting them in the way of doing so. No people on the face of the earth were more generous than the English. Their first impulse was always generosity; but soon afterwards they became possessed with a fear that they had been imposed upon. He believed that such a feeling existed in this instance. Englishmen were not satisfied that Irishmen had done all they could and all they ought to assist themselves; and until they were satisfied of this, no power on earth would induce them to grant any further assistance. He believed it to be the first duty of the Government to afford security to life and property; and he thought the House would neglect and desert their duty if they did not do all in their power to assist the Government. If they neglected to do this—if they suffered murder, horrid outrage, anarchy—if they suffered this reign of terror to continue in Ireland, their guilt would be second only to the greatest guilt of modern times, the guilt of the Austrian Government, which not only suffered the tenants to murder their landlords, but instigated them to it, and paid them for it with honours and gold. He would not agree to any line of conduct which would subject the nation to which he belonged to such an imputation. Feeling that there had been a clear case of necessity made out for the Bill, believing that it was not stronger than the occasion required, he felt that he should best discharge his duty to his constituency and country by giving it his hearty support.

Mr. M. O'CONNELL said, an hon. Member had, the other night, quoted a vulgar proverb, that "if niggers were not niggers, Irishmen would be niggers;" and he had quoted it against the character of the Irish people; never recollecting through what process Irishmen had been driven to such a state that they were glad to compete with negroes in the labour market of America. It was their Government which had forced them to the condition of rendering the greatest amount of labour abroad for the smallest amount of wages. The noble Lord who had just spoken was well known as a champion of philanthropy; he had a sympathy for every oppressed country but Ireland. His motto was "Coercion for Ireland; prosperity, and popular legislation, and popular jurisdiction for the people of other countries." There were societies in this country for promoting popular rights. He had written to one of those societies representing the grievances of Ireland; but they had no sympathy for that country; their charity did not begin at home; it began abroad, and ended abroad; and the noble Lord's charity took the same direction. The noble Lord admitted the misconduct of former Governments. Government after Government had been the oppressors of Ireland; they had no sympathy with the Irish people; they had acted as the autocrat of Russia would do, all for his own power, and everything against the people. What Government would the noble Lord support? He ought to support a Government that would heal the wounds inflicted by former Governments, and inspire in the minds of the people a respect and love for the law which the conduct of former Governments had tended to extinguish, and the result had been to make every peasant in Ireland look at the law as his enemy; and yet the noble Lord supported a Government whose very first measure, instead of endeavouring to remedy the faults of former Governments, was the Bill before the House; their first and only measure for Ireland was a measure to keep the people of Ireland in the condition to which former Governments had reduced them. The noble Lord was the champion of the Poles. He believed the Poles had suffered severely. He believed that, next to Ireland, no country had suffered so much as Poland. But the oppression of Poland was a thing of recent times. It dated only a quarter of a century back; and the difference between the case of Poland and of Ireland was that, in supporting the Poles, the noble Lord was supporting those who were rebels against their Sovereign; whilst Irishmen were anxious only to procure relief and redress for evils of long standing; he was an advocate of protection elsewhere, and of oppression in Ireland. But the noble Lord had had no experience of the hardships inflicted upon Ireland; he had never seen fathers torn from their families and cast into gaol for three or four months upon the groundless complaint of some petty official, brought to the mockery of a trial, and after being found guiltless of the charge turned out of the dock to find their prospects in life utterly ruined. If these oppressions had existed in other countries, there would have been an agitation throughout the country; old women in petticoats and old women in breeches would have met together; collections would have been made, and the noble Lord would have stood forth as a champion, as he had done in the case of the Poles. It was necessary in

order to get a seat in that House, and to keep it, that a person should have a particular hobby. One Member took up the grievances of an Indian prince, and advocated his cause, and by means of agitating the people of England was put forward to legislate not only for England but for Ireland. Another hon. Gentleman came into the House without taking any distinct line of politics, pursuing a middle course, but always taking care to vote with the Minister of the day, in the hope, perhaps, that he might secure what were called honours, and instead of plain Master be styled "My Lord," or "Sir So-and-so." Such an individual having for four or five years voted as he pleased, perhaps he would take up the cry of the day in the last Session of a Parliament; and if that cry was against Ireland, he was sure to put himself prominently forward, and then go confidently before his constituents, who were sure to send him back once more as their representative. Another Gentleman, perhaps, took up the cause of blacks or Poles, and every description of vagabond who had nothing to recommend him, it might be, but a dirty skin. He was all benevolence towards those people; but when he came to deal with the oppressions that existed at home, his charity instead of beginning there, was found to have gone abroad, and never came home at all. All these men were the advocates and champions of liberty abroad, and of coercion and oppression for Ireland. The noble Lord (Lord Dudley Stuart) had stated that whether they were to have remedial measures or not, the present Bill ought to pass. Now, the noble Lord was not more anxious than he was to put down crime; but he knew more of Ireland than the noble did, and certainly more of it than the noble Lord knew of Poland. All the Irish people wanted was justice. Sir John Davis, whose writings were become a text-book in England, and who filled the office of Attorney General for Ireland in the time of James I,, had stated that no people on the face of the earth loved justice so much as the Irish, provided they saw an intention on the part of the Government to do justice. Coercion, however, was the only remedy they offered —they held out a sword, but withheld the balance; and so long as they continued that system of tyranny and oppression, the Irish people would resist to the utmost of their power. But they had shown that they cared nothing for the people of Ireland; and, indeed, he very much doubted whether they had any opinions of their own on the subject of Ireland. Their opinions were prepared cut and dried for them in the papers of the day. The *Times* mixed up the dish that was swallowed, morning after morning, in all parts of England, from the one end of it to the other. People said, "It must be true if the *Times* says it;" and, without taking the trouble of examining into the matter, without giving themselves the slightest opportunity of ascertaining how the real facts of the case stood, the exclamation throughout the country was, "What a curse these Irish are! The *Times* tells us they are shooting people again; they must be put down." And accordingly the Minister of the day brought in a Coercion Bill, and the House was ever ready to support the Minister in his coercion of Ireland. He would ask the noble Lord (Lord D. Stuart) to suppose a case. Suppose the autocrat of Russia were to establish a Parliament with 400 representatives from the other provinces of his empire, and only 105 from Poland, and that in Poland everything had been done to clog and narrow the exercise of the franchise; suppose the noble Lord to be a representative from Poland, and that he found nothing but Coercion Bills for the country of which he was one of the representatives, would he not demand from that Russo-Polish Parliament, that before they coerced the people of Poland, they should first do them justice? That would, no doubt, be the conduct of the noble Lord; but here was an Anglo-Irish Parliament doing to Ireland exactly what he had supposed the Russo-Polish Parliament doing to Poland; and yet the noble Lord was found advocating the cause of coercion. Certainly, the Irish people did not expect to have a majority on their side on this occasion. There were many temptations at the beginning of a Parliament which led Members to vote with Ministers, so that the Irish Members could not expect but to be in a minority on the Bill now before the House. When on similar occasions to this he had found English Members declining to vote, he had usually found on inquiry that they were actuated by a variety of motives. One man would say that his constituency went the other way; another, that if he voted with the friends of Ireland he should destroy his influence with Government; another, that it would interfere with a commercial speculation he had in hand; while a fourth, openly avowed that he had no notion of

voting against Government, as he might get something from them, but could get nothing by voting against them. The noble Lord had taunted them with the smallness of the minority; but in a question of so much national importance that minority would continue to increase, and would ultimately be triumphant. He would remind the House that Coercion Bills had been tried again and again, and had been found inefficient; and the very last that had been attempted had ruined and broken up the great Whig party. Now, relying upon English prejudices and sympathies, they were once more trying coercive measures; but he warned them not to expect their power to be permanent if they persevered in such a course. He warned them, that although the Irish Members in that House might not be numerous and powerful enough to resist them, the day would come, and that ere long, when those representatives, actuated by the feeling that those who professed to be the friends of Ireland had only inflicted injuries upon her, would hurl them from power as they had hurled the right hon. Baronet (Sir R. Peel) and his associates. The noble Lord had referred to the large sums that had been expended in Ireland for the relief of the starving poor; but without going into the various items of the account, he would remind the House that the great bulk of the money voted by Parliament had been swallowed up by the army of engineers, gaugers, superintendents, check clerks, pay clerks, *et hoc genus omne;* and if they subtracted the amount that those persons had received, they would find how very little had been expended in the actual relief of the starving poor—they would find that those parties had got the lion's share, and that only a remnant remained for the people. If an inquiry were gone into, he should be able to prove that out of the whole sums voted for Ireland last year, three-fourths of it went to the officials and clerks employed at that period, and scarcely one-fourth was expended amongst the actual objects of relief. When they altered the Labour-rate Act and established soup-kitchens, he could state from his own knowledge and from authentic information received from the officials themselves, that in that district and in that union where he resided, the monthly contribution from the public fund was 1,000*l.*, that was 250*l.* a week. He was convinced that out of that 1,000*l.*, not even 250*l.* had reached the people. The hon. Member for Marylebone (Sir B. Hall), who resided in London, appeared to doubt these facts. If he had been like him (Mr. M. O'Connell) endeavouring to correct the vices of their Acts, he would be then convinced of the truth of what he stated. The noble Lord who spoke last had alluded to the 10,000,000*l.* that were voted last year for Ireland—7,000,000*l.* however of that amount was only expended, and 3,000,000*l.* still remained. When, however, a deputation of Irish Members had waited upon the right hon. Gentleman opposite, last year, for information upon this subject, he informed him that he had only 500,000*l.* at his disposal. Now the remainder of this 3,000,000*l.* must be locked up somewhere. It was curious to consider that the late deficit in the Bank of England which called forth the letter of the noble Lord at the head of the Government, and the right hon. Gentleman the Chancellor of the Exchequer, was exactly 3,000,000*l.* There was 1,500,000*l.* voted for drainage in Ireland; but how much of it was actually expended? There was no want of applications. If the applications had been all met, a great portion of the distress which existed would have been alleviated in the most useful way. When a country gentleman went to the Board of Works for the purpose of making an application, he was immediately told to send in his papers; but when he had done so and sought assistance, he was told that they had no money. In his own neighbourhood he knew of many such instances. He would, for example, name the right hon. Maurice Fitzgerald, the Knight of Kerry, who had informed him that he had made application for 6,000*l.*, when he was told to send in his papers. When he had thus far complied with their instructions, they returned his papers after keeping them three months, rejecting the application as being without a statement of title. The papers with such statement of title were sent back, and after they had been kept a further period of two months, the papers were again returned with the final answer—namely, that they had no funds. He had made a similar application, and received the same reply, "no money." He would now endeavour to give them a further example of the way in which business was conducted in the Board of Works. A subordinate clerk, who had been employed there at a salary of 150*l.* a year, succeeded, through the misconduct of the officers who were set over him, in defrauding the public of 22,000*l.* Being a fa-

vourite with some head officer of the board, he was not required to give any security whatsoever. He understood that there would be no prosecution of this person, because such a proceeding might involve certain persons whom it would be inconvenient to implicate. This clerk, with a salary of 150*l*. a year, had set up his carriage and horses. By an accident he was thrown out of his vehicle and had his leg broken. It being necessary to refer to some papers in his custody, his desk was broken open, when a system of fraud that had existed for many years was revealed. This fact was quite sufficient to give the House an idea of how the business was conducted in the public offices in Ireland. The noble Lord had said, that if such murders occurred in England as were unfortunately recently perpetrated in Ireland, they would have had a Coercion Bill for this country. The noble Lord by this observation appeared to know little of England as well as of Ireland. He would show the noble Lord that more violence, more destruction of property and of life, had taken place in England time after time than what now existed in Ireland, and no attempt had ever been made to enact a Coercion Bill. He would not refer the noble Lord now to ancient dates to prove this fact. He would not refer the noble Lord to the time of the Luddites—but to a period so late as the year 1842. How matters then stood in England, and what was the course taken by the Legislature of the country to put it down, would be easily discovered upon a reference to those papers that were before the House. During that year of 1842, fearful riots prevailed in the manufacturing districts of England. The country was actually in a state of rebellion, and many lives were lost while it existed; yet no Coercion Act was then proposed for England, although it was found that the ordinary powers of the constitution in many cases, were inadequate to cope with the number and the determination of the rioters. The Ministers of that day, instead of resorting to such measures, set about adopting the means necessary for the relief of the distressed and the restoration of trade. The people were immediately quieted by the timely concessions made by the Government to what they asked, and to which they were justly entitled. The Government did not then seek to irritate the sore, but to heal the wounds that had been inflicted. In the month of February, 1842, the people assembled to the number of 7,000 or 8,000, at Derby. [Sir B. HALL: But were there any murders committed by them?] He would show that immediately. He did not come there as unprepared with facts as the hon. Baronet might imagine. The hon. Baronet might have a lively recollection of the doings of Rebecca, in his own immediate neighbourhood. At that time, perhaps, through the exercise of the hon. Baronet's great ingenuity, and the intrepid stand he had made in the front of these affrays, when he held not merely the scales but also the sword of justice, he was instrumental in restoring peace and order through Wales. The hon. Baronet could, no doubt, show by his own conduct on that occasion how easily such riots could be put down. No Coercion Bill was asked or sought for at that period. The hon. Baronet had asked him whether there were any murders committed then? Now, he would just read a few passages taken at random from the book before him. He found that on the 29th July, 1843, the gate of Plasnydd was broken down, when Captain Napier, with four of his men, came up with the rioters. A conflict ensued, in which Captain Napier was severely wounded, and one of the rioters was shot. The *Examiner* of the 12th August described an affray on the previous Friday, in which the New Inn gate was broken down, the toll-keeper's wife shot at, and deprived of sight. That he (Mr. O'Connell) admitted did not amount to actual murder, but it was something very nearly as bad. For a considerable portion of the year 1843 whole districts in Wales were in a state of insurrection—all descriptions of violence were committed, and the people rose openly against the law. Instead of coercion being then resorted to, the rebels and assassins of that period were parleyed with, and the law was soon altered for their convenience. An active and influential magistrate stated, in September, 1843, that it was almost impossible to get a constable in Wales to do his duty. There then occurred the case of a woman 70 years of age, who was shot merely because she kept a toll-bar, and the coroner's jury returned a verdict to the effect that "she died from an effusion of blood on the chest which occasioned suffocation, but from what cause to this jury is unknown." Did any man hear ever of such an absurd and unintelligible verdict? Did that jury perform their functions properly and conscientiously? Yet murders and similar verdicts were of not unfre-

quent occurrence in Wales in 1843, and still the ordinary law was deemed sufficient to repress crime there. Why, then, was coercion proposed for Ireland? Had Irishmen not a right to ask for the same measures of justice as were given to their brethren in Wales? Had they not a right to ask for the due execution of the ordinary law, and for remedial measures, and to have them granted to them as well as to Welshmen? But instead of remedial measures and the execution of the ordinary law —because crime was committed in Ireland in 1847 by no means in proportion to the extent that was committed in Wales in 1843—a measure of coercion was instantly proposed. The fact was, it had always been a maxim with the Governments of this country to have different remedies for the evils of England and Ireland—to have one law for the rich, and another for the poor; but while they continued in that course of policy, if policy it could be called, they would find Ireland still struggling against their legislation; and that, instead of succeeding in obtaining her regard by coercive measures, their Coercion Bills would pass away, and the recollection of the injuries inflicted upon the people would remain for ever. What the Irish Members wanted was to see the remedy which the Government proposed, and if it was feasible they would join them in carrying it out; but as they knew nothing of the Government remedial measures, they must persevere in their opposition to the Bill before the House.

Sir W. SOMERVILLE was sure the hon. Gentleman who had just sat down would excuse him if he declined to follow him through the very extensive range of circumstances which he had alluded to in the course of the address which he had made to the House. The hon. Gentleman had given an account of the Rebecca riots in Wales; he had commented upon the merits and demerits of the Board of Works in Ireland; and the hon. Gentleman had talked of a Russo-Polish Parliament, for the purpose, he supposed, of referring to the noble Lord the Member for Marylebone (Lord D. Stuart); but having listened attentively to the hon. Gentleman's speech, he must confess that he could detect very little in it which had reference to the measure under consideration. The hon. Gentleman who led the opposition on the present occasion, and the hon. Member for Nottingham, had enlarged a great deal more than he thought the occasion required, upon what appeared to them to be the inconsistency of Members who on former occasions resisted coercive measures for Ireland, and now introduced measures of a similar description. He did not think that if the circumstances, both as regarded the occasion on which the present measure was introduced, the nature of the proposed measure itself, and the spirit evinced by the Government in introducing it, were considered, it would be difficult to show that there was no parallel whatsoever between it and those previously brought forward. The present measure had been met by a most cordial spirit of satisfaction on both sides of the House; and that spirit had been most especially evinced by the right hon. Baronet the Member for Tamworth; and so strongly did he feel the imperative necessity for passing the Bill in order to put a stop to the reign of terror which now prevailed in Ireland, and that those frequent assassinations which were bringing disgrace upon his countrymen should be prevented, that if he could hurry the passing of it by one single moment he would do so, and be content to rest under the charge of inconsistency. He supported it as a measure that was wanted for the occasion. His right hon. Friend the Secretary of State for the Home Department had, by the speech which he had made to the House, in proposing it, spared him the necessity of going through the category of crimes which were now rife in Ireland; but it was not alone the number of crimes that had been committed that alarmed him. It was the type and nature which those crimes exhibited. And let not hon. Gentlemen be too much swayed by the number of crimes, as detailed. Let them take, for instance, some one of those which excited the greatest horror in this country, and consider its consequences. Let them take, for example, the murder of Major Mahon. As a murder it stood but for one in number. But see the consequences connected with it. Let them look at the terror which it spread throughout the country; let them take into consideration the sympathy evinced by the entire neighbourhood with the perpetrators of that deed of blood, and let them look at the picture of the murdered man's remains having been carried to the grave surrounded by armed friends to prevent the remains from being insulted. Let them look at and consider those things, and then tell him, if they would, that no steps should be taken

promptly to put a stop to such a system. But admitting that the crime existed, and that it was of such a nature as to call for some immediate remedy, the question then arose—was the remedy proposed by Her Majesty's Government a fit and proper one for its suppression? It would, he admitted, be difficult for any one to pronounce in a positive and authoritative way, that the Bill would be absolutely sufficient; but hon. Gentlemen should not think that because a measure was very strict and stringent, it would be therefore more particularly adapted to the exigencies of the case. His opinion was, that the measure before the House would, if sufficiently carried out (and seeing that the House, as well as Her Majesty's Government, had every confidence in the noble Lord the Lord Lieutenant of Ireland, he having the same confidence also, had no doubt that it would), be sufficient to stay the hand of the assassin. The hon. Gentleman who opened the debate said that he had been deceived in the nature of the measure to be proposed. He said that it had been stated early in the debate, that as crime was only partial in Ireland, so should the remedy be partial also, but that this Bill was a general application. Now, if he understood his hon. Friend rightly, what he would expect Government to do would be this—to define the precise districts in which crime existed, and then by Act of Parliament to apply a remedy to those districts. But supposing the Government had mentioned certain counties, and certain portions of counties, and certain townlands, in which they knew that crime was still existing, and that they had not taken any power to go beyond those specific limits, and supposing that after the enactment had passed the crime went beyond those boundaries, how could they follow it? Would not the House have laughed at them for such conduct? Thus much, however, he would undertake to say on behalf of the noble Lord the Lord Lieutenant of Ireland, that wherever crime was prevalent, and wherever those assassinations took place, there, and there alone, would that measure be applied. But when the time for applying it did arrive, in that noble Lord's hands the application would be speedy, and, he trusted, effectual. The hon. Member for Nottingham seemed to hold that no case had been made out for the application of the Government to Parliament for those additional powers. He had talked of "trumped-up cases." Why, he believed that at all events the murders that had taken place were notorious. Was the murder of Major Mahon a trumped-up case? Had the story of the murder of Mr. Lloyd been trumped up? Had the many other assassinations which he should say with shame had brought disgrace upon the Irish name, been trumped up? Was it not notorious that those murders had taken place, and that the criminals who had committed them were still living and at large? The hon. and learned Gentleman had been pleased to say that he highly approved of the task of licensing being committed rather to the stipendiary magistrates than to the hands of the justices of the country; but then it appeared that the Lord Lieutenant had lost the confidence of the hon. Gentleman, because of his late appointment, he supposed, of Mr. Ryan to the office of a stipendiary magistrate. If that were the appointment alluded to, he could assure the hon. Gentleman and the House that in making it the Lord Lieutenant was actuated solely from a desire to benefit the public. Mr. Ryan had been pointed out to him as a man who had been peculiarly active in bringing punishment upon criminals, and therefore he was appointed. The hon. Member further said, before proceeding with that Bill they ought to lay upon the table of the House the whole of the remedial measures which they intended for Ireland. Now, take any one of them—take, for instance, the landlord and tenant law. Suppose it had been introduced, what must have been the course pursued in regard to it—it would have been brought in and read a first time, and, as a matter of course, there it must have remained until after Christmas; and what would be the effect of it upon the crimes which were now disgracing Ireland? It might be very well to give the tenant a right to be repaid for improvements; but was that a remedy which could be proposed to cure the existing evil? In his opinion the best landlord and tenant law that could be framed would prove no remedy for the state of things now existing in Ireland. The ruffians who were guilty of those enormous crimes were certainly not landlords: he did not believe they were tenants. It was an attempt to organise a wide-spread reign of terror, under which the people should neither pay rent nor give up the land. No law of landlord and tenant could possibly be applied as a remedy for such a state of things. The case of the Government had been fully proved,

and he believed the Bill would be found to be well adapted for the purpose to which it was to be applied. He believed the powers it proposed to grant would be carried out in such a manner as would satisfy the friends of order and the friends of Ireland. There was no coercion in the Bill. It was not a Coercion Bill. It was an attempt to give protection to life and property; and it was a Bill which was sought not alone by the landlords of Ireland. They were not the only class who would thank the Imperial Parliament for passing such a law. The middle classes and the farmers of that country, and all who were the lovers of order and good government, would deeply thank them for it. He believed further, that the poor labourer and the cottier would deeply thank them, for he was not one of those who thought the character of his countrymen was to sympathise with the murderer and the assassin. That apparent sympathy proceeded in many cases from the operation of the reign of terror established throughout the country; if they were left to exercise their better judgment, the greater portion of Irishmen would act very differently. All classes in Ireland—the rich, the middle class, the farmer, and the cottier—would thank them for passing such a law. It was no measure of coercion to take from the hands of an assassin the weapon which he was about to misuse. He had heard the speech of the hon. Member who opened the debate that night with much surprise. He did not know what had happened to that hon. Gentleman, or what it was that could have coerced him into changing the opinion so quickly which he had announced on the first evening of the debate. He regretted that his hon. Friend's better judgment had not prevailed; and he appealed to every hon. Gentleman present who had heard the opening speech of his right hon. Friend (Sir G. Grey) to say whether he had not correctly described, in that speech, every provision that the Bill contained. He (Sir W. Somerville) felt it his duty, not only on account of the position he held, but as a friend of Ireland, to support the second reading. And he believed he could not better nor more correctly describe the Bill, than by using the words of his hon. Friend, which had been that evening quoted by his hon. Friend the Member for Montrose, an opinion which, it should be remembered, had not been merely spoken in haste, but deliberately written, namely, that "this Bill, if firmly administered, will not be inconvenient to anybody but the authors of outrage and crime."

Mr. GRACE said, he had hoped the hon. Member for Tralee (Mr. M. O'Connell) would have spared him the pains of offering, and have saved the House the trouble of listening to some remarks he felt it to be his duty to make as a Member for a county (Roscommon) which he regretted deeply to say was at this moment disgraced by disorder and crime. He rose in consequence of some allegations which had been made by that hon. Member, reflecting on the character of an individual who had been laid low by the hand of the assassin—the late lamented Major Mahon. That lamented Gentleman had resided within a few miles of where he (Mr. Grace) lived, and he had thus an opportunity of knowing that many of the charges that had been brought against the deceased were to his own knowledge utterly groundless. When these charges had been brought forward by the hon. Member for Tralee on the first night of the Session, he felt desirous of clearing the memory of the murdered man from any stain that they might affix, and of saving his friends from the pain of having them go forth uncontradicted; but his better judgment told him not to rely on his own opinion alone, but to consult others in the first instance. He did so: he went to the fountain source, and from the information which he there received he was now doubly able to declare that those charges were false. He mentioned the facts to the hon. Member for Tralee on the preceding evening. The hon. Gentleman took his statement coolly, and made no reply. He told the hon. Gentleman that he thought it was fairer for him to mention the matter to him privately, than to contradict him publicly in the House; and the hon. Gentleman said this evening that he would give such an explanation as the case required. He had listened to the speech of the hon. Member in expectation of hearing that explanation, but in vain, and it was only because the hon. Member left the House immediately after, that he (Mr. Grace) did not at once rise to address them. He did not wish to say anything in the absence of the hon. Member; but as the hon. Gentleman was now present, listening to what he said, he begged to tell him that what he (Mr. Grace) now stated was the fact.

Mr. MAURICE O'CONNELL: I must claim the indulgence of the House while I explain how the matter stands. The hon.

Member for Roscommon is perfectly right in stating that I said to him I would state in the House how far my statement on a former evening was contradicted by him. Unfortunately, in the heat of debate, other matters occurring to me, it escaped my memory, and I have to apologise to him for not making the explanation sooner. The hon. Member will bear me out that the statement which he made to me amounts to this—that whereas I stated that two vessels were freighted by the party to whom I allude with emigrants, and that one of them returned, as being unseaworthy, he has given me evidence in contradiction to that statement. I confess that it was an omission on my part not to have stated that circumstance before; but I beg now to say that I am perfectly convinced that the statement I heard as to the return of a vessel laded with emigrants, and freighted by the party to whom he alluded, was not properly founded. I made the statement on representations made to me since I came to London, and I now give the hon. Member the full benefit of the contradiction. I have no evidence to support my first statement, nor do I wish to bring up any. I should be exceedingly sorry to state anything here which I did not believe to be true, or which on being corrected by competent evidence I should not be ready to retract. I believe that the statement which I put forward as to the return of that vessel was not correct, and I now rise to apologise for not making that explanation before. [An Hon. MEMBER: Will the hon. Member name the authority on which he made the charge?] He was not aware that hon. Members of that House were called upon to name authorities for every statement they made. If authorities were to be named for every statement that was made there, he believed a great many parties would be placed in a very extraordinary position.

MR. S. CRAWFORD had abstained from offering any factious opposition to the Bill now before the House; but he wished to take this opportunity of expressing his opinions upon the principle of the measure. The present Bill was precisely similar in principle to those measures which on many former occasions had been introduced with a view to the repression of crime in Ireland. It was founded on the principle in coercion—on the principle of endeavouring to repress crime by powers beyond the ordinary powers of the law. He acknowledged that the provisions of this Bill were milder than those of many similar measures which had preceded it; but he thought the main question to be considered was, would the Bill effect the object it was intended to accomplish—the repression of crime? It was not his intention to enter at all into the question as to the unconstitutional character of the Bill. He was at once prepared to say, that if he could persuade himself that it would operate effectually, he would readily give it his assent: but he did not believe that it would have the effect of putting down crime in Ireland. He did not think that either the right hon. Home Secretary or the Secretary for Ireland had shown that this Bill would operate effectually for the repression of crime. He would ask the House to consider what were the causes of crime in Ireland. It had been said that the disturbances and crimes which were unfortunately so frequent in that country had nothing to do with distress; that a man in distress would beg, but he would not murder. Now, such a statement was certainly directly opposed to anything he had before heard. He had always considered that distress led to the commission of every crime, and of the greatest crimes. There was no part of Ireland in which there was so great a number of ejectments as in Tipperary; and that was one of the causes which excited to crime. The cause of crime was as clear as the noonday; it was the system of landlordism in Ireland. There were many kind and benevolent landlords; but he spoke of the system as the main and, he might say, the only cause of all this distress and crime. It was proved by reports innumerable in the possession of the House—reports that had never been refuted; and the House ought either to proceed to remedy the evils, or direct those records to be burnt. We heard a great deal about landlords' rights—about the sacred rights of property; but were we to have no respect for the rights of labour, the rights which the poor man obtained by the sweat of his brow? The labouring man in Ireland had no security for any return for his labour; and hence the hatred of the lower classes in many cases to the higher, and the want of confidence in the law and Government. We heard of landlords' rights—what were landlords' rights? In a great many cases they were the rights of robbery, instead of the rights of justice. It was not a right that any man ought to enjoy, to be able to take that which was produced by the poor man's

labour, and then turn him out; we might call these landlords' rights, but they were landlords' wrongs, and ought not to be permitted to exist. The slaveholder might talk of his right over the person of his slave; but was it fitting that, in a country like this, any man should have a right to wrong the tenant of his property, and turn him out to die in the ditch? That had been done in repeated instances. There was a very recent case in the county of Leitrim, where the owner of the property published a letter in a newspaper, not denying what he had done, but defending it, because he said the tenants owed him twelve or fourteen years' rent. If a landlord was guilty of such a lapse, there must have been some neglect, some oppression, some overstraining; and a landlord was not justified then in taking advantage of that omission, and coming down upon the tenant and turning him out. If there must be Coercion Acts, there ought to be a law that would prevent the taking of life by the oppression of the landlord, as well as a law to prevent the taking of the landlord's life. When the right hon. Baronet (Sir R. Peel) produced his Coercion Bill, he proposed a Bill for the purpose of temporarily protecting ejected tenants; it was to give power to the Lord Lieutenant to suspend the execution of writs of *habere* until he could ascertain that provision was made in some form or other for the people who were to be turned out, or that they would be relieved by the board of guardians. Would the Government consent to give that power to the Lord Lieutenant as they were ready to give him extraordinary powers for coercion? With regard to the law of landlord and tenant, he should have to move next week for leave to bring in a Bill to secure legally the tenant-right as it existed in Ulster, and to extend it to the rest of Ireland; but he did not consider that tenant-right could be established on any other principle than that of reward of industrious operations. The English tenant was differently situated from the Irish; the Englishman had a right to either work or food; in Ireland a poor man could get relief only at the discretion of the board of guardians. He would not pretend to say that the Landlord and Tenant Bill, or any one single measure, would cure the present state of things in Ireland. To effect that object would require a combination of beneficial measures, and among them he would enumerate the Waste Lands Bill, and the Bill for the sale of encumbered estates. He was told that the Government intended to introduce a Landlord and Tenant Bill; and though he was convinced of the sincerity of their intentions, yet that was not such a pledge as deserved any weight in that House. It did not appear that the Government were agreed on the provisions of the Bill; and yet to make their pledge of any value it was necessary that there should be a statement of the provisions of the Bill. When the Protection of Life (Ireland) Bill of the right hon. Baronet (Sir R. Peel) was before the House, the noble Lord now at the head of the Government demanded that the Bill on the landlord and tenant question should be introduced before the second reading of that Bill; and the Landlord and Tenant Bill was accordingly so introduced. He, therefore, could not be wrong in following the example of the noble Lord, and in now making a similar demand. He believed that the present Bill would not be effective for its object. The evil was the private shooting at individuals. How would this Bill prevent that when all other Coercion Bills had proved ineffective to stop that evil? The only way in which to make the people respect those placed over them, and respect the laws of the country, was to do them justice, and until that was done, they never could enforce respect for the laws. It was not his intention to give any factious opposition to the measure; and if the Government passed this Bill, let them pass it on their own responsibility, and let the consequences be on themselves; but he wished to ask whether they meant to fulfil their promise respecting remedial measures?

Mr. MOORE said, he totally dissented from those hon. Gentlemen who had expressed their determination to resist all measures for the suppression of undoubted crime in Ireland, unless accompanied by measures for the remedy of undoubted evils. He dissented from those hon. Gentlemen as much as he did from the hon. Member for Bridport, who seemed to think that the care of the necessities of the miserable and dying was not the duty of the Government. The loss of human life by famine, and the loss of human life by assassination, were evils both of great enormity; and therefore, holding, as the right hon. Member for Tamworth had expressed it, no parley with assassins, he tendered to the Government his humble but strong support in carrying out this tardy act of justice which they had under-

taken to perform. In reference to the present state of things in Ireland, in which a confederation of murderers had superseded the authority of the laws, and scattered death and consternation through the land, the Ministers called for certain powers which they considered sufficient to remedy the evil. They were bound to demand from the Legislature sufficient powers to check the enormity of the evil; and he therefore said that they were responsible to the House and the country for the sufficiency of the powers they demanded for the security and protection of human life in Ireland. But if they were responsible for the protection of life in the disturbed districts, they were also responsible for the lives of those in other parts of the country, where crime had never yet reared its head, and where the people were always patient and obedient. *Parcere subjectis et debellare superbos* was the administrative policy of an empire which proved itself able at one time to rule the world; and if the English Government pursued a contrary policy, and a contrary policy it had too long and too often pursued—if it allowed the patient and obedient to die unheeded, and at the same time allowed security to the murderer to stalk unpunished through the land—it virtually abdicated the functions of Government, and really made the law what the hon. Member for Nottingham (Mr. F. O'Connor) styled it—a mockery, a delusion, and a snare. But with regard to the sufferings of those humble martyrs in other parts of the country, what might be in store for them they had had but very sparing information. They had much of the fearful statics of crime, and the numbers that had perished by the hands of the assassin, but they had heard nothing of the myriads that had died from famine. They had heard much concerning the obstacles which crime threw in the way of all ameliorations of the condition of the people in the south and west of Ireland; but nothing had been said respecting the state of demoralisation created in other parts of the country by the misapplication of the public funds during the past year. He apologised to Her Majesty's Ministers for alluding, even incidentally, to some of those grievous errors which had marked their Ministry. He did it with great reluctance, not to recriminate upon them, but in justice to the people of his own country, whose character had been wholly perverted, and whose conduct in the bitter hour of trial had been studiously misrepresented, for the unworthy purpose of turning the blame aside from those who deserved it, that it might fall upon the already crushed and broken-hearted. But while speaking in vindication of the people of Ireland, he would not be supposed to say one word in extenuation of those horrible atrocities which, in one part of that country, disgraced the name of Irishmen, and cast a slur upon humanity itself. He thanked Her Majesty's Ministers for the measure they had introduced, and accepted it as a boon and an act of mercy, as well as of justice. He hoped that from all those who had so long languished under this reign of terror, the Government would receive a cordial co-operation, and that, in a very brief space, an Irishman might be able to speak of his countrymen without being obliged to make such disgraceful and humiliating exceptions as the present state of things compelled him to make. But, setting aside this horrible conspiracy, this sodality of blood, he much feared that in speaking of the character of the Irish people the minds of too many of those whom he was addressing had already arrived at the foregone conclusion, that the people of Ireland were a headstrong and undeserving race. The people of England had voted for the relief of destitution in Ireland a sum of money which no other nation had ever voted for a similar purpose, and which, perhaps, no other nation in the world could have supplied. The people of England subscribed for the relief of that distress in a spirit of unbounded munificence and generosity, such as no other nation could have done. Hon. Gentlemen knew that Englishmen had done their duty as men, and they then asked, what return had the people of Ireland made for all this unbounded generosity? If hon. Gentlemen had witnessed what he had witnessed during the last twelve months, they would be inclined to make some allowance, even if they had beheld a feeling of ingratitude displayed among a people whom despair had almost deprived of reason. He would ask hon. Gentlemen—setting aside all party feeling, and looking at the facts themselves—what had been the conduct of the people of Ireland under all these trials? He would ask them whether they believed that the English people would have borne their sufferings with more patience, or have exhibited more gratitude, and have paid more obedience to the laws? He was in the midst of them during the whole of that trying period: and he should have thought that their

endurance, their fortitude, and the gallant cheerfulness with which they bore up against their afflictions, would have silenced the voice of calumny itself. He would now advert for one moment to another class of persons, of whom much that was severe had been said—he alluded to the Roman Catholic clergy of Ireland. For the first time, after centuries of wrong and insult, the State, during the late period of affliction, recognised their position as being at all events the *de facto* pastors of the people, and availed itself of their assistance in carrying out the laws of the country; and he would venture to assert that, as a body, they proved themselves worthy of the trust placed in their hands. When the calamity first broke out in all its horrors, he found it his duty to assist the Government in their efforts to give relief to the people; and he could assure the House that the exertions of the Roman Catholic clergy at that time appeared almost superhuman. But these labours, extremely exhausting in themselves, were in addition to their already exhausting duties as the Christian pastors of the people. And yet the Roman Catholic clergy had been the objects of the bitterest invectives, and of the gravest accusations. But what after all did their accusers establish? They had shown up the aberrations of one clergyman. They had regularly proclaimed the discovery that out of many hundreds of victims that had fallen from this confederation of crime in Tipperary, two of them were alleged to have been denounced at the altar by a Roman Catholic priest. The report was no sooner uttered than believed. It was not asked what was the general character of this clergyman. The country were satisfied on this general Tipperary accusation to pass a more than Tipperary verdict, and not only to convict the party accused, but to include in the impeachment the whole body of those unimpeachable men whose general character, whose propriety of conduct, and whose unwearied exertions during the calamitous visitation of last year, ought to have protected them from the slightest whisper of censure or reproach. It had also been said, that whatever the Irish priesthood or the Irish people might have done, there had been agitators and popular declaimers going through the country, who, like foul-mouthed men, had said things that disgusted, and naturally disgusted, the minds of the English people. For those persons, whoever they might be, who, in Ireland, made it their business or their pleasure to sow hatred and ill-will between the subjects of this realm, and who endeavoured to keep alive those flames of dissension which it should be the object of every good subject to extinguish, he could not too strongly express his indignation. But he would ask hon. Gentlemen, had all the calumny been confined to Ireland? Had there been no firebrands, no vilifiers, on this side the Irish Channel? It was all very well for the right hon. Home Secretary and the noble Lord the Member for Marylebone to disclaim all feeling of animosity towards Ireland, but he would trust his own eyes and ears. He could not shut his ears and eyes against the abuse which, during the last few months, had been poured upon the devoted heads of the Irish people. Had the Government no organs in the press? What had been the conduct of those organs, and what prompted their conduct? The answer would be found in the language of Caliban—

> " But they'll nor pinch,
> Fright me with urchin shows, pitch me i'the mire,
> Nor lead me, like a firebrand, in the dark
> Out of my way, unless he bid them : but
> For every trifle are they set upon me :
> Sometime like apes, that moo and chatter at me,
> And after, bite me ; then like hedgehogs, which
> Lie tumbling in my barefoot way, and mount
> Their pricks at my foot-fall : sometimes am I
> All wound with adders, who, with cloven tongues,
> Do hiss me into madness."

It was unnecessary to ask any Member of that House whether he had read the articles which had appeared in the *Times* during the last twelve months. That paper was the organ of public opinion in this country, and the leading journal of Europe ; well, it had stooped not only to pander to vile animosities of race, but even to tamper with the social virtues of the English people. The tendency of its articles was to exasperate and inflame the minds of the people of England against their Irish fellow-subjects. What other tendency had the speech of the hon. Member for Nottingham? What other tendency had the pompous platitudes of the Member for Bridport, or the smooth homilies of the hon. Member for Marylebone? True, they did not all use the same language; neither did all assassins use the same instruments. A Tipperary murderer would blow out a man's brains with a vulgar blunderbuss; but a Borgia or a Brinvilliers was not less dangerous because the one would stab with dexterity, or the other

poison with decorum. The abuse which had been heaped upon the Irish people meant this only, "No more money for Ireland." In that part of Ireland with which he was connected, the population was the most peaceable and virtuous which was to be found in any part of the empire. For years it had fed the British army with as brave men as ever stood on a battlefield. They had borne the British colours through the ranks of our enemies in every contest in which we had been engaged, and had kept the Queen's peace at home. Not a single deed of blood was recorded against them. Were these patient and obedient people to be left to perish from want? That question must be answered before the expiration of six months. To avert the calamity to which he had referred, he relied upon the good feeling of that House, and believed that although the English people had for a moment been goaded into a state of feeling foreign to their character, they would hand down to posterity the same reputation for generosity which they had inherited from their fathers.

Captain HARRIS felt it necessary to address a few words to the House in consequence of an observation which had fallen from the hon. Member in the course of his fluent speech. He (Captain Harris) had felt it his duty to put certain questions respecting the language alleged to have been used by some Roman Catholic clergymen; but it was hardly necessary to state that he was not actuated by any feeling of animosity against the Roman Catholic clergy as a body. On the contrary, he believed that the majority of those clergymen discharged their duties in an exemplary manner. The hon. Member had spoken of the aberrations of some of the Roman Catholic clergy; but he (Captain Harris) would care little about their aberrations and eccentricities, if they did not lead to such fatal results. The question which he put to the Government was to this effect—had they taken any steps towards prosecuting those priests who had made themselves accessaries before the fact, by denouncing from the altar landlords and others who seemed to have given offence to the parties whom those priests addressed? The answer which he received was in the negative. The Attorney General made a fair exposition of the law: that hon. and learned Gentleman stated that a person exciting other parties to commit a crime, where that crime was murder, did render himself liable to prosecution as an accessary before the fact. But, though they heard that from the Attorney General, he could not help observing that there was a remarkable omission on the part of the right hon. Secretary whose speech they had heard. It was not unworthy of notice that that right hon. Member was scrupulously silent when it came to the question of prosecuting the priests. Upon this particular subject he (Captain Harris) had placed on the book a notice; and, though most unwilling to impede the progress of this Bill, he at one time was strongly impressed with the conviction that he ought to bring forward that Motion, and submit it for decision to the House; but he now wished to state that he intended to withdraw his notice, in consequence of the assurance which the House had received in the beginning of the evening from the right hon. Baronet the Secretary of State for the Home Department, to the effect that the Government were prepared to carry out the existing law to the utmost, in the case of exciting language from the priests. To these observations he felt bound to add, that he thought Government ought to go somewhat further. They ought to have inserted a clause in the Bill pointing especially at the offence to which he was now directing their attention. He considered that the want of such a clause formed a material defect in the Bill as it stood, for juries in Ireland would not convict a priest, unless the crime was specified in the statute. Moreover, a priest might denounce a landlord from the altar—that gentleman might not be murdered, but the denunciation might have such an effect upon his mind, and produce such excessive alarm, that the person so denounced might be afraid to leave his house. It appeared to him, then, that a denunciation of that class ought to be made of itself a misdemeanor.

Sir W. VERNER rose for the purpose of observing, that three-fourths of the speeches which the House had heard on the subject, had been delivered by hon. Members on the other (the Ministerial) side; for, though some friends of the Government spoke from the front Opposition bench, yet their speeches were quite in the spirit of the other side. Another object which he had in rising was to notice an expression which an hon. Member had used, perhaps unguardedly, with respect to courts-martial. He observed now in the House several gallant Officers belonging to both branches of the service, who were not pre-

sent when the observation that he referred to was made—when the House was told that the practice of courts-martial was to shoot a man at night, and try him in the morning. He protested against such charges being made. Courts-martial were conducted upon principles of the strictest honour.

MR. O'CONNOR rose to explain. He spoke of military coercion—not of the ordinary course of military law; he referred to the drum-head courts-martial of the year 1798.

The House divided on the question that the Bill be now read a second time:—Ayes 296; Noes 19: Majority 277.

List of the AYES.

Abdy, T. N.
Acton, Col.
Adair, H. E.
Adair, R. A. S.
Adderley, C. B.
Aglionby, H. A.
Alcock, T.
Alexander, N.
Anson, hon. Col.
Anson, Visct.
Arundel and Surrey, Earl of
Ashley, Lord
Baines, M. T.
Baldwin, C. B.
Baring, rt. hon. F. T.
Baring, T.
Barnard, E. G.
Barrington, Visct.
Bateson, T.
Bellew, R. M.
Benett, J.
Bennet, P.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Blake, M. J.
Bourke, R. S.
Bouverie, E. P.
Bowles, Adm.
Bowring, Dr.
Boyd, J.
Boyle, hon. R. E.
Brackley, Visct.
Bramston, T. W.
Bremridge, R.
Broadley, H.
Broadwood, H.
Brockman, E. D.
Brooke, Lord
Brotherton, J.
Brown, H.
Browne, R. D.
Buller, Sir J. Y.
Bunbury, W. M.
Bunbury, E. H.
Burke, Sir T. J.
Burroughes, H. N.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Carter, J. B.
Caulfield, J. M.
Cavendish, hon. G. H.
Cayley, E. S.
Charteris, hon. F.
Chichester, Lord J. L.
Childers, J. W.
Clay, J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Clive, Visct.
Clive, H. B.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cockburn, A. J. E.
Cocks, T. S.
Coke, hon. E. K.
Cole, hon. H. A.
Colebrooke, Sir T. E.
Coles, H. B.
Colvile, C. R.
Conyngham, Lord A.
Coope, O. E.
Corry, rt. hon. H. L.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Currie, H.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Deering, J. P.
Douglas, Sir C. E.
Drumlanrig, Visct.
Drummond, H.
Duckworth, Sir J. T. B.
Duff, G. S.
Duff, J.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Ebrington, Visct.
Edwards, H.
Ellice, rt. hon. E.
Elliot, hon. J. E.
Evans, W.
Ewart, W.
Farnham, E. B.
Ferguson, Sir R. A.
Ffolliott, J.
Filmer, Sir E.
Fitzpatrick, J. W.
Foley, J. H. H.
Forbes, W.
Fordyce, A. D.
Fortescue, hon. J. W.
Freestun, Col.
French, F.
Frewen, C. H.
Gibson, rt. hon. T. M.
Glyn, G. C.
Godson, R.
Gore, W. R. O.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Granger, T. C.
Grattan, H.
Greene, T.
Gregson, S.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grogan, E.
Guinness, R. S.
Hall, Sir B.
Hall, Col.
Hallyburton, Lord J. F.
Hamilton, G. A.
Hamilton, J. H.
Harris, hon. Capt.
Hastie, A.
Hastie, A.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Henley, J. W.
Herbert, H. A.
Heywood, J.
Hildyard, T. B. T
Hodgson, W. N.
Hood, Sir A.
Hope, Sir J.
Hornby, J.
Hotham, Lord
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hudson, G.
Hutt, W.
Ingestre, Visct.
Inglis, Sir R. H.
Ireland, T. J.
Jackson, W.
Jermyn, Earl
Jervis, J.
Jocelyn, Visct.
Jones, Sir W.
Jones, Capt.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
King, hon. P. J. L.
Knox, Col.
Labouchere, rt. hon. H.
Lascelles, hon E.
Lascelles, hon. W. S.
Lennox, Lord A.
Lennox, Lord H. G.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Littleton, hon. E. R.
Lockhart, W.
Lushington, C.
Macnamara, Major
M'Gregor, J.
M'Naghten, Sir E.
Mahon, The O'Gorman
Maitland, T.
Mangles, R. D.
Manners, Lord G.
Martin, J.
Martin, S.
Matheson, A.
Matheson, Col.
Maxwell, hon. J. P.
Moore, G. H.
Morgan, O.
Morison, Gen.
Mostyn, hon. E. M. L.
Mowatt, F.
Mulgrave, Earl of
Mundy, E. M.
Newport, Visct.
Norreys, Sir D. J.
Nugent, Sir P.
O'Brien, Sir L.
Ogle, S. C. H.
Osborne, R.
Ossulston, Lord
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pearson, C.
Peel, rt. hon. Sir R.
Perfect, R.
Peto, S. M.
Pigott, F.
Pilkington, J.
Pinney, W.
Plumptre, J. P.
Plowden, W. H. C.
Powlett, Lord W.
Price, Sir R.
Pusey, P.
Raphael, A.
Rawdon, Col.
Reid, Col.
Rendlesham, Lord
Renton, J. C.
Ricardo, J. L.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Robinson, G. R.
Romilly, J.
Russell, hon. E. S.
Russell, F. C. H.
Sadleir, J.
St. George, C.
Salwey, Col.
Scaham, Visct.
Seeley, C.
Seymour, Lord
Sheil, rt. hon. R. L.
Sidney, T.
Simeon, J.

Slaney, R. A.	Tyrell, Sir J. T.
Smith, rt. hon. R. V.	Vane, Lord H.
Smith, J. B.	Verner, Sir W.
Smollett, A.	Verney, Sir H.
Somerville, rt. hn. Sir W.	Villiers, hon. C.
Spearman, H. J.	Vivian, J. H.
Spooner, R.	Vyse, R. H. R. H.
Stafford, A. O'B.	Waddington, H. S.
Stanley, hon. E. J.	Walmsley, Sir J.
Stanley, E.	Watkins, Col. L.
Staunton, Sir G. T.	Wawn, J. T.
Strutt, rt. hon. E.	Welby, G. E.
Stuart, Lord D.	Westhead, J. P.
Stuart, Lord J.	Willcox, B. M.
Stuart, H.	Williams, J.
Talfourd, Serj.	Willoughby, Sir H.
Taylor, T. E.	Wilson, M.
Tenison, E. K.	Wodehouse, E.
Tennent, R. J.	Wood, rt. hon. Sir C.
Thesiger, Sir F.	Wood, W. P.
Thicknesse, R. A.	Wyld, J.
Thompson, Col.	Wyvill, M.
Thornely, T.	Young, J.
Tollemache, J.	TELLERS.
Turner, E.	Tufnell, H.
Turner, G. J.	Hill, Lord M.

List of the NOES.

Anstey, T. C.	O'Brien, T.
Callaghan, D.	O'Connell, M.
Crawford, W. S.	O'Flaherty, A.
Devereux, J. T.	Power, N.
Fagan, W.	Reynolds, J.
Fox, R. M.	Roche, E. B.
Greene, J.	Scully, F.
Keating, R.	Wakley, T.
Meagher, T.	TELLERS.
Morgan, H. K. G.	O'Connor, F.
O'Brien, J.	O'Connell, J.

Bill read a second time.

On the question that the Bill be committed,

MR. EDMUND B. ROCHE said, that whatever might be the course of other hon. Gentlemen, he, for one, would offer no further opposition to the Bill.

MR. JOHN O'CONNELL regretted the course of his hon. Friend; but he was not prepared to desist in his opposition to the clauses of the Bill.

Bill to be committed.

House adjourned at half-past Twelve o'clock.

HOUSE OF COMMONS,

Friday, December 10, 1847.

MINUTES.] PETITIONS PRESENTED. By Mr. Wakley, from Gloucester, for Inquiry respecting the Gloucester County Election (Western Division).—By Mr. Osborne, from Inhabitants of Hammersmith and its vicinity, for Returning two Members to Represent in Parliament the Parishes of Hammersmith, Kensington, Chelsea, Fulham, and Chiswick.—By several Hon. Members, from a great number of places, for and against the Removal of Jewish Disabilities.—By Sir P. Egerton, from Chester, and Mr. John Tollemache, from Suffolk, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland).—From Artisans, Labourers, and others, in the Island of Grenada, for the Encouragement of Free Labour.—By Mr. Bright, from various places, for Inquiry into the Case of the Rajah of Sattara.—By Mr. F. O'Connor, from several places, against the Crime and Outrage Bill, and for Measures of Amelioration (Ireland).—By Colonel Sibthorp, from Lincoln, for Regulating the Sale of Poisons.—By Mr. G. Thompson, from James Berington, formerly Veterinary Surgeon in the Army, for Inquiry respecting Soldiers' Knapsacks.—By Mr. Henley, from Charlbury, and Witney, for the Adoption of a Treaty of Arbitration between the British Government and the other Governments of the world respectively, for putting a final period to the barbarous and unchristion practice of War.—By Mr. Wakley, from Lucy Williams, Wife of Charles Williams, Licensed Victualler, for Redress.

COPYHOLD TENURES.

MR. AGLIONBY asked whether it were the intention of the Government to introduce any measure for the compulsory enfranchisement of copyhold and customary tenures?

SIR GEORGE GREY had received from the Copyhold Commissioners their report, which had been presented to Parliament, and it would be in hand in a day or two. In that report would be found modified recommendations, not going the full length of what the hon. Member would desire to see accomplished, but carrying out the object to a certain extent; and a Bill was in preparation for carrying the objects into effect.

PRIVATE BILLS.

MR. AGLIONBY also asked the following question: Whether it were the intention of the Government to propose any measure for carrying into effect the recommendation of the Select Committee on Private Bills of last Session, and for enabling towns, or parishes, or districts, to adopt the provisions of the General Consolidation Acts, without coming to Parliament by Bill for that purpose?

MR. LABOUCHERE answered, that there remained two Consolidation Bills recommended by the Committee, and not yet introduced—one relating to bridges, and the other to canals. A Bill relating to the former was preparing; with regard to the latter, he had some doubt of the expediency of introducing a Consolidation Bill; and he believed that very few Canal Bills were likely to come before the House at present. There were other recommendations made by the Committee, which were of very great importance; but the report had only lately been in his possession; the Government would be prepared to carry into effect such as, upon consideration, might appear to them desirable.

DIPLOMATIC RELATIONS WITH ROME.

SIR R. H. INGLIS, seeing the noble Lord the Secretary of State for Foreign Affairs in his place, wished to ask a question, of which he had given notice. One of the noble Lord's Colleagues in the Cabinet, holding the office of Lord Privy Seal, and having the custody of the privy seal, had been for some time in Rome, and he (Sir R. Inglis) heard from public report (and now rose for the purpose of giving the noble Lord an opportunity of contradicting that report if it were not true) that a convention had been signed between the noble Lord, on the part of Her Majesty, and some authorities of the See of Rome, in reference to diplomatic relations. He wished to know whether the Colleague of the noble Lord were in Rome with any authority from Her Majesty's confidential advisers, and whether, being so at Rome, any convention had been signed by him on the part of Her Majesty with any authority of the See of Rome?

VISCOUNT PALMERSTON: It is well known that for some weeks past, Lord Minto, who holds the office of Privy Seal, has been at Rome. Lord Minto is not at Rome in any official capacity; he has no power and no instructions to negotiate any convention whatever with the Court of Rome, to which Court he is not in any way accredited; and therefore my hon. Friend will see that the statement to which he alludes is entirely destitute of any foundation whatever. I need not say that, so long as doubts can be entertained by any person as to the legality of diplomatic intercourse with the Court of Rome, Her Majesty's Government have too much respect for the law to do anything which could by possibility be considered as an intention of violating it. The doubt arises chiefly upon the construction of the word "communion," the law being, that the Crown is not to hold any communion with the Court of Rome. A doubt exists whether the word "communion" should be strictly intrepreted as applicable to religious communion, or whether it should be applied to diplomatic intercourse. I give no opinion; and until Parliament can settle that doubt, I can assure my hon. Friend and the House that no step will be taken by Her Majesty which can by possibility be considered as contravening the law.

GREEK LOANS.

MR. B. COCHRANE asked whether the Greek Government had paid the arrears of loan due to Her Majesty's Government; and whether, if they had not paid up those arrears, it was the intention of Government to insist on the payment of the interest of the loan?

VISCOUNT PALMERSTON: The half-year's instalment payable upon the loan in April, which was advanced by Her Majesty's Government, has been repaid. Since that period, another instalment being due in September, and no provision being made, a demand was made by the Government of this country on the Government of Greece for payment of the instalment; but as yet the payment has not been made.

MR. B. COCHRANE said, that the question referred to the whole amount of arrears still due to the English Government.

VISCOUNT PALMERSTON: The whole amount of arrears is a very considerable sum, amounting to something like 190,000*l*. No immediate demand has been made for the payment of that amount. Although we think the Greek Government are perfectly able to pay the instalments as they become due, yet I cannot pretend to say that they can be supposed capable of paying up at once so large a sum as that. The inclination of the Government is, that some arrangement should be made for the gradual and progressive liquidation of the debt.

RAILWAYS IN INDIA.

VISCOUNT JOCELYN wished to ask the Secretary to the Board of Control what arrangements had been made by the East India Company with those companies that proposed to embark capital in railway undertakings in India?

MR. G. C. LEWIS would state what had been done with respect to railways in the three presidencies of India. In Calcutta it was designed to construct a railway from the city of Calcutta to Delhi; and an arrangement had been made by the East India Company with a company called the East Indian Railway Company upon these terms—viz., that two sections should be executed at a cost of 3,000,000*l*. sterling, the Government finding the land and guaranteeing interest on that amount for twenty-five years, at 5 per cent.; the Government to have the option of purchasing the railway at the end of twenty-five or fifty years. A similar arrangement had been resolved upon with regard to the Great Indian Peninsular Railway Company, for a railway from Bombay to a

town about thirty-five miles north-east of that place; the guarantee extended to 500,000*l*. No arrangement had been made with respect to the Madras Presidency.

SIR R. PEEL inquired whether any legislative proceedings would be necessary to give effect to these arrangements, or whether the East India Company considered that they had power to carry them out without any Bill?

MR. G. C. LEWIS apprehended that the Company considered that they had that power.

MR. BRIGHT, who had given notice of his intention to put a question with reference to the steps that had been taken for the promotion of railways in India, particularly from Bombay to those districts in which cotton is chiefly grown, remarked that Lancashire, in this one year, had paid as much, owing to the failure of the crop in America, as would have made the line which the Great Indian Peninsular Company wished to make. Was the hon. Gentleman aware that a formal application was made to the Government, at least a year ago, and that the subject was brought under their notice, though not altogether formally, three years since? The length of time required to make the line would be very considerable; every day's delay was important, because the season when work could be done commenced in September, and unless an arrangement were made speedily, another season might be lost. The terms and conditions were understood to be of that nature that if they should be persisted in, it would be totally impossible to raise money in the English market. The subject was of the first importance to Lancashire.

MR. G. C. LEWIS would merely remark, that the terms offered by the East India Company must be considered as liberal, inasmuch as they found the land for both railway companies, and guaranteed 5 per cent. He was not aware of any obstacle having been offered to these projects by the East India Company.

TAXATION.

MR. EWART asked the Chancellor of the Exchequer whether it would be in the power of the Government to take any general view of the whole system of taxation of this country, for the object of simplifying and reforming it, in the present Session of Parliament?

The CHANCELLOR OF THE EXCHEQUER said, it was a very dangerous thing to say what was the intention of the Government with respect to taxation. When on a former occasion a number of reductions in taxation had been proposed, he thought that no change could then be made. This year, most unquestionably, it would be necessary to renew the income-tax. But he must say it was exceedingly inconvenient at the present moment to state what were the views or intentions of the Government with respect to the taxation of the country.

THE RIGHT REV. DR. RYAN.

MR. MONSELL: Although, Sir, I am aware that it is not proper to allude to what occurred in a former debate, yet I hope I may be permitted to refer to a charge which was made in the course of yesterday evening's discussion against the Roman Catholic Bishop of Limerick, Dr. Ryan, by the hon. Gentleman the Member for Bridport. I will, with the permission of the House, read the charge, which it will be seen brings that right rev. Prelate under the description of an accessary before the fact, and an instigator to the commission of a crime of no less heinous a character than that of murder. Yes, the crime of which the hon. Member accused that right rev. Prelate was the crime of murder. I am going to speak not at all at random of that right rev. Prelate, but I am going to state what I know of him of my own personal knowledge, and what I believe can be testified of him by all classes and creeds in the country to which he belongs. He has distinguished himself by the most active and persevering endeavours to support the laws. He has subjected himself to much obloquy on account of the peaceful and tranquil course which he always thought it his duty to pursue. The charge which has been brought against him is founded on some words which he used in a charge which he delivered at a confirmation held in his own diocese. Now, those words referred to certain misdeeds which he ascribed to persons belonging to the upper classes. I have not got the charge here, and am therefore not able to refer to the particular terms of it; but fortunately Lord Farnham in another place quoted some words from the address, which warranted his Lordship to speak in terms of the highest possible approbation of the right rev. Prelate, and of the manifest spirit in which those words were used.

The passage quoted by Lord Farnham was as follows :—

"If the people of this country had not fallen back to a state of wickedness and depravity, and forgotten, in their vices, their Christian obligations, how is it possible that, in a land like Ireland, blessed with fertility, glorious in the produce of nature, and ample in its natural resources, the poorer classes should be steeped in such wretchedness and misery? The land is in a state of wildness, while the occupiers and labourers indulge in wickedness and depravity."

It was most unjust to take a separate passage in a charge addressed by a bishop to his clergy, disconnecting it from the context, and then founding an accusation upon it against the author of that charge. But such, it would appear, was the nature of the allegation made by the hon. Member last night against the right rev. Prelate; for by the quotation of the hon. Gentleman the impression was made that the right rev. Prelate had spoken of the misdeeds of one class of society without referring to the misdeeds of the other classes of society. It is notorious that no Christian minister ever spoke more against the crimes now prevailing in Ireland than Dr. Ryan. I must take the liberty of appealing to my noble Friend the Member for Falkirk (the Earl of Lincoln), and to the right hon. Gentleman the President of the Board of Trade, who was lately Secretary for Ireland, to bear me out in the statement which I have made in reference to that right rev. Prelate. I also refer to the hon. Member for Northamptonshire (Mr. Stafford), who lives near the right rev. Prelate, and knows his life and practice. I appeal to the noble Lord and the right hon. and hon. Gentlemen, and trust that their testimony will afford some reparation for the wound which has been inflicted on the right rev. Prelate by the accusation which has been preferred against him.

The Earl of LINCOLN: I would not for a single moment trouble the House, or add a word to what has been said by the hon. Member for the county of Limerick (Mr. Monsell), whose testimony, as living in the immediate neighbourhood of Dr. Ryan, must be far more powerful and influential on the House than anything I can advance, if the hon. Gentleman had not made a direct appeal to me. I have no hesitation in responding to that appeal. I have not the honour of Dr. Ryan's personal acquaintance; I have never seen him in my life; but, during my short acquaintance with Ireland, it did so happen that his character was brought under my notice; and that, in reference to the counties of Limerick and Clare, there were many occasions on which I heard him most highly spoken of. Therefore, I can state that my belief is, that there is no character that stands higher than does the character of Dr. Ryan. I never heard but one opinion of him; and my belief is, that all persons, of whatever political party or religious creed, consider him to bear the most exemplary character in every respect. So far from being in any way subject to the charge of being an accessary before the fact to any crime whatever, I believe Dr. Ryan has most studiously devoted himself to the exercise of the duties of his sacred calling, and has always kept himself aloof from all species of political agitation, never mixing himself up with any political contests, but invariably maintaining the character of a firm and undeviating friend of peace and order.

Mr. LABOUCHERE: I was not in the House when the hon. Member for Bridport made use of those expressions which referred to Dr. Ryan. Had I been present, so well am I acquainted with the character of that distinguished Prelate, I should have risen at once, and have stated my utter disbelief that Dr. Ryan had ever been guilty of any act that was unworthy a Christian bishop. I believe that no Church can boast of any member who affords a brighter example of a true pastor of a Christian Church than Dr. Ryan. I have no personal acquaintance with the right rev. Prelate, but I had ample means when in Ireland of knowing his character. He always studiously abstained from mixing himself up with political agitations, and courageously supported law and order in Ireland, and always deported himself in a manner worthy of the sacred station he holds. I have heard a great deal said about the conduct of the Catholic clergy of Ireland in the course of these debates, and expressions have been quoted as having fallen from the lips of some Catholic clergymen. Now, I condemn those expressions as strongly as any man. I hold such language to be most dangerous and criminal, coming from the lips of any man, but dangerous and criminal in the highest degree when used by men holding a sacred office. Such misconduct on the part of the Roman Catholic clergy has been strongly and justly reprobated by the newspapers. I do not regret it; but what I do regret is, that the public should be induced, by reason of such language and conduct, to lose

sight of the meritorious course pursued by hundreds and hundreds of the Roman Catholic clergy, who, in the very worst times, were exposing themselves to obloquy among their own people by inculcating the maxims of obedience to the law, and by restraining the passions of their countrymen. I am satisfied that, if the whole truth were known as to the conduct of those men, it would prove that we owed a great debt of gratitude to the Roman Catholic clergy of Ireland. I hope the House and the country will never run away with the idea that, as a class, the Catholic clergy of Ireland are chargeable with the obliquities which have been alleged of a few, and that they will confine their censure to those only who have used the language to which so much attention has been directed in the course of these debates.

Mr. STAFFORD: I am extremely obliged to my hon. Friend for having appealed to me on this occasion, because it gives me great gratification and real pleasure to bear my public testimony to the worth and excellence of so good a man as Dr. Ryan. I have an advantage over the noble Lord and the right hon. Gentleman, inasmuch as I claim a personal acquaintance with the right rev. Prelate. I have witnessed the conduct of Dr. Ryan in seasons of excitement and of extraordinary difficulties, when disease and want were prevalent in his diocese; and I can truly say, that foremost amongst those whom I should enumerate as the best specimens of the real Christian character, would be the right rev. Prelate. It has been often said, that whenever anybody is attacked in this House, there are always Members ready to rise and declare that the party attacked was the very best of mankind. Be that as it may, I can only say that on this occasion I have been occupied all day in searching the charge of the right rev. Prelate for an extract which would justify the accusation made against him. I confess that the only passages I have met with are those which, in my opinion, are just, and right, and proper, as containing strictures with regard to the faults of all classes in Ireland. If the hon. Member for Bridport can point out any other passages, he will no doubt state them to the House.

Mr. COCHRANE: It is painful to me to accuse, or to appear to be wantonly casting any unjust charge against any gentleman, more especially a minister of the Church. I can only say to the hon. Member who commenced this discussion to-night, and to those hon. Members who have given their testimony in favour of Dr. Ryan, that I cannot doubt for a moment, after the testimony they have so borne, that Dr. Ryan was unguardedly led into the use of those expressions which I quoted last evening; and, as some hon. Members who are now here were not present on the former occasion, I will again read the quotation to the House. I did not accuse Dr. Ryan of instigating to crime, but of making use of language calculated to excite the people to the commission of crime. Dr. Ryan said—

> "The higher classes were forgetful of their Christian obligations; they treated the poor like cattle; they were cold and callous to the voice of humanity—dead to all feelings of compassion—untouched by the cries of famine, the wailings of hunger, the lamentations of women and children, and the terrible condition of the poor man; they exercised over their victims a system of heartless cruelty, calculated to bring down vengeance from heaven upon them."

For anything I know, Dr. Ryan may be a most excellent man; but, as a Member of this House, I still contend that that is not language for a minister of peace to use.

Sir B. HALL: What has been read by the hon. Member did certainly form a part of the charge of Dr. Ryan. It was my intention to have addressed the House last night, and to have answered the charge brought against Dr. Ryan by the hon. Member for Bridport. I felt it was my duty to do so, because on the first night of the Session I ventured to express an earnest hope that the hierarchy of the Irish Church would take into consideration the conduct of certain of their priesthood, and exert themselves for the purpose of inculcating into their minds—(I spoke not of the whole body, but only of a portion of them)—and not only into the minds of the priesthood, but also into the minds of the lower classes in Ireland, what was their duty, not only towards their country, but towards each other. It was my intention last night to read a portion of the charge of Dr. Ryan. Had I done so, I should not only have read that part which has just been quoted by the hon. Member for Bridport, but also a subsequent portion of it, which would show that it was very different indeed from the speech which I had occasion to quote on the first night of the Session. No half-hour was allowed by Dr. Ryan to elapse between the instigation to crime and the exhortation to peace; but the very words which followed the passage quoted by the hon. Member for Bridport,

were words of counsel and instruction to the people. The words are—

"But, while thus viewing the state of the upper classes in society, let us not forget the middle or the low; let us descend a step, and view the opposite side of the picture. There are many complaints urged by the tenant against the landlord. The tenant considers his position deplorable, and attributes his misfortunes to the landlord. I ask, are the tenants themselves what they ought to be? Do they act conjointly with the landlord, and, while consulting their own interests and happiness, take a friendly part in his? Quite the reverse. Are not many of the tenants knavish, indolent, and apathetic, and care not about the rights of property, while they are vain enough to think that the land should be for their own use alone. Both parties are culpable."

The Bishop then went on to say—

"If the people of this country had not fallen back to a state of wickedness and depravity, and forgotten in their vices their Christian obligations, how is it possible that in a land like Ireland, blessed with fertility, glorious in the produce of nature and ample in its natural resources, the poorer classes should be steeped in such wretchedness and misery?"

And again—

"I say, if the land were cultivated by Christian and industrious tenants, and possessed by benevolent and generous landlords, that it would afford four times the produce that it has now produced. The land is in a state of wildness, while the occupiers and labourers indulge in wickedness and depravity. Oh, 'tis true they will bemoan their condition, and say 'We have no one to pity or sympathise with us.' Such is not the case. Thousands sympathise with them—the bishops sympathise with them—the clergy sympathise, and the Legislature of this country has recently taken their condition into serious consideration. They have enacted a poor-law in the last Session of Parliament—one of the most important laws that have been framed for Ireland during the last 100 years—a law that will provide subsistence for the poor man on the very soil where he was born—a law that I often wished to see enacted, and strove to have enacted during the last 22 years which I presided as bishop over this diocese. But while you plunder and murder in the country—while you continue to disregard the laws of God and man—your friends will blush for your crimes, and be slow to address the Legislature."

Viscount MORPETH: I will not run the risk of prolonging this discussion by entering into the consideration of the merits of the various sentences which have been read from the address of Dr. Ryan; indeed, I am not in a position to estimate the many unhappy circumstances prevailing around the right rev. Gentleman, which induced him to introduce into his charge—not into a speech, let it be remembered—a rebuke directed alike to all classes of the community. But, as my own experience of Dr. Ryan's character covers a still greater space of time than that of either my noble or right hon. successors in the office of Chief Secretary for Ireland, I think it due to the subject of this conversation to state that, although I never had the honour of forming a personal acquaintance with him, I have always heard express testimony borne to his most conciliatory and benevolent character, and to the exemplary manner in which he devotes himself, as a Christian bishop, to the special functions of his holy calling. And, if my memory does not deceive me, referring to a period so long back as when I was in Ireland, the Bishop of Limerick, in corresponding with me, during a season of distress, bore testimony to the indefatigable exertion of his Christian brother in co-operating with him for the common good of the flock which had claims upon their joint exertions.

Sir J. WALSH was willing to believe that Dr. Ryan must have used the language which had been quoted from his address in a moment of excitement; but he could not help thinking it an unfortunate circumstance that such expressions should have been employed at all in the present state of affairs in Ireland. Believing, as he did, from all that he heard, that the Roman Catholic priesthood of Ireland discharged their duties in a most exemplary manner, it appeared to him that it was all important to their character that they should, in the strongest and most public manner, disavow expressions which, if they had been correctly quoted, must be held to be of a most criminal nature—which had urged individuals amongst their flocks to commit the crime of assassination—and which must tend to pervert all ideas of right and wrong in those who heard or read them. If the expressions to which he referred had been rightly quoted, and if the circumstances connected with them which had been so confidently stated in the public papers were well founded, it was incumbent on the heads of the Roman Catholic Church to exercise the authority which they possessed to a greater degree than the heads of any other church over the members of their clergy, to control the expression of such sentiments, and to declare to the world their utter condemnation of them.

Mr. J. O'CONNELL complained that the clergy of the Roman Catholic Church had been attacked upon no better authority than newspaper reports. None of the accusations preferred against Catholic clergymen had yet been substantiated by

proof. The hon. Baronet who had last addressed the House had taken upon himself to lecture the Catholic clergy; but he thought he might venture to say that they would pay very little attention to his lecture. He would take the liberty of bearing his humble testimony to the merits of his lordship the Right Rev. Dr. Ryan. He had always avoided having any connexion with political agitation, and was, indeed, the last man who would make use of language calculated to incite any one to the commission of crime. Another prelate, the Most Rev. Dr. M'Hale, had also been censured by the hon. Member for Bridport for the use of improper language; but the language which the hon. Gentleman quoted amounted merely to a congratulation to the people of Ireland on the unexampled patience with which they had borne their misery. Could any one deny that his unhappy countrymen had endured their sufferings with patience and resignation? The great mass of the Irish people had no concern in the atrocities of which so much had lately been heard. They were the acts of wretches who were out of the pale of the Church, and had not approached the sacraments for years.

Mr. REYNOLDS said, that as an Irish Member and a Roman Catholic, he had heard the charges brought against the Catholic clergy of Ireland with great pain; but now he rejoiced at those charges having been made, because the circumstance had afforded hon. Members who appreciated the merits of that body of men an opportunity of bearing testimony to their character. From some of those who had assailed the Roman Catholic clergy, he expected better things. He had always looked upon the hon. Member for Montrose as the friend of Ireland, and he was disposed to believe him so still; but he regretted to hear that hon. Member last night make a wholesale attack upon the Catholic clergy. Without meaning offence, he must say that he was both grieved and surprised to hear the unwarrantable and unfounded charges which had been directed against the Catholic clergy by the hon. Members for Montrose and Bridport. For his part, he entirely concurred in every sentiment contained in the extract which the hon. Member for Bridport had read that evening. There were in Ireland 2,500 Catholic clergymen, governed by four archbishops and 24 bishops, and that body of ecclesiastics administered to the spiritual wants of 7,000,000 of people. Those figures alone ought to convince hon. Members that the percentage of human life sacrificed in Ireland was small indeed in proportion to the mass of the population. The hon. Baronet the Member for Marylebone had referred to the language attributed to Dr. Laffan. He (Mr. Reynolds) was not prepared to defend that language; on the contrary, he condemned it, and regretted that it had been used. It must be taken for granted that the hon. Baronet's Irish correspondent did not send him a garbled account of Dr. Laffan's speech; but it was singular that the hon. Baronet did not read to the House another part of that speech, in which the rev. gentleman said that—

"Did he stand up in defence of murder? God forbid! He had ever preached, as far as his humble intellect could direct, and with all the sincerity and energy with which his soul was animated, that the blood of man called to heaven for vengeance, and that sooner or later the murderer would come to his own destruction; that, even if he avoided the consequences of crime in this world, which was almost impossible, still that in passing the frontiers of eternity the Lord of all Hosts would seize the criminal and deal on him that eternal judgment which they were told awaited the murderer."

When language of an opposite description had been quoted from Dr. Laffan's speech, it was only fair that he should have credit for such passages as that which he had just read to the House. At the same time, he wished it to be understood that he thought it was highly culpable in any person, but more especially in a clergyman, to use to an assembly easily excited language which was likely to be misconstrued. As a proof of the estimation in which the conduct of the Roman Catholic clergy was held, he would mention that the Lord Lieutenant had sent Dr. Kennedy, the Roman Catholic bishop of Kilaloe, and the clergy of his diocese, a special letter of thanks for their exertions in preserving the peace of the country.

CRIME AND OUTRAGE (IRELAND) BILL—COMMITTEE.

On the Motion for the House to go into Committee on the Crime and Outrage (Ireland) Bill,

Sir W. VERNER said, unwilling as he was to detain the Bill from going into Committee, yet he felt that upon a measure of such vast importance to Ireland, he could not avoid making one or two observations. However he might rejoice at Her Majesty's Ministers, even at this late period, bringing forward any measure cal-

culated to give protection to the lives and properties of the industrious and well-disposed persons in Ireland—yet he could not avoid expressing his very great regret that they should, for so long a time, have neglected to pay any attention to the representations so often repeated of the increasing evils of that country. He was one of those who had raised his voice, humble as it was, to warn the noble Lord at the head of the Government, and those acting with him, of the inevitable consequences that must ensue from the indiscriminate purchase and use of firearms in Ireland. He had done so, because the experience of many years had taught him that the Irish peasantry were not a people in whose hands arms could indiscriminately, with safety, be trusted. The purport of his Motion was to obtain further proof that the withdrawal of the Arms Bill had been most pernicious in its consequences. He knew that arms were eagerly and extensively purchased—that they were purchased by men from whom it was most desirable they should be withheld—and that they were purchased with the worst designs by the worst characters—all this it was his object to show. He believed such a privilege had never before been conferred by a sane legislature upon such a class of beings as had taken advantage of it in Ireland. When (continued the hon. Gentleman) in a country like Ireland, the assassin who can be hired to take life, and the peaceable subject who desires to defend life and property, are offered indiscriminately permission to have arms, it is not surprising that murders should be so frequent. Is it to be wondered at that when the representatives from every county and every borough in Ireland meet here to discharge their duty, they should have dreadful tidings to tell from their different districts, and still more lamentable forebodings of worse things to come? It ought never to be forgotten by hon. Members who legislate for Ireland, that there is one peculiarity in the condition of that country which demands especial care and consideration—the feeling entertained by the people is favourable to the murderer—their disposition is to screen—to protect him. He (Sir William Verner) was not going to inquire how this was brought about; whether from education or example; whether from those deep-rooted hatreds they had been taught to entertain from their earliest youth, or from those secret combinations which unhappily extend over the greater part of the country. Be that as it may, the fact is undeniable. The assassin may exercise his inhuman trade of murder, without encountering the abhorrence of men as yet unstained with blood—without any feeling of danger from those who know his crimes. He may attend the fields of labour, and the house of prayer. He may be seen at the fairs and markets, at the assizes and the sessions. He may mix with those who may be led by curiosity, or, perhaps, some worse feeling, to view the body of his victim weltering in his blood by the road side. He may be present at the inquest, and, it is not impossible, be found amongst the persons, who, upon their oaths, found a verdict of wilful murder against some person or persons unknown. He may converse freely with those who knew he "did the deed," and walk leisurely away—nay, more, he may plead the crime he has committed as a claim to hospitality and protection, and find his claim admitted. Such a time to give encouragement to the indiscriminate possession of arms was most unseasonable, and added greatly to the evil. The poor were taught they had a claim, not on the rich, but upon the industrious for support. It was not said wealthy men ought to maintain you, but landlords and farmers are bound to do so—they owe it to you. What did this mean? How was it understood? That the idle and disorderly should demand from poor people like themselves, because they were industrious, to maintain them in their evil ways—to become impoverished and ruined, that they might live and riot at ease. Thus were the classes arrayed against each other—the ill-disposed and idle against the good and orderly. He would now call the attention of the House to the period when the Arms Bill was brought before Parliament, and what the noble Lord at the head of the Government was reported to have said:—

> "The question now is, whether the House will agree that all powers in the matter shall be taken away from the Government; and that any person in Ireland shall have any arms that they please, and introduce gunpowder, and sell that gunpowder and arms in any part of the interior or along the coast. He (the noble Lord) would say, that his belief was, that by this course they would be giving encouragement to outrage, and that there would be more loss of life in Ireland, by allowing the Bill to expire, than if it was allowed to continue. There was no doubt, if the Bill was thrown out, that persons would go about selling their assistance to commit murder."

The Bill was read a second time, and car-

ried by a majority of thirty-three in a House of seventy-nine Members. On the Saturday following, to a question from Mr. Escott, then Member for Winchester, Sir G. Grey, the hon. Baronet who has introduced the present Bill, said, "It was intended *pro formâ* to go into Committee on the Irish Arms Bill, on the Monday following, in its amended shape." On Monday the noble Lord withdrew the Bill, and "assured the House that the Government was determined, at all events, that the security of life and property in Ireland should not in their hands be diminished." He would now advert to a remarkable coincidence, which occasioned considerable surprise at the time. A gentleman possessing great power and extensive influence, of whose memory he (Sir W. Verner) would not speak one word of disrespect, announced the withdrawal of the Arms Bill, at a repeal meeting in Dublin, on the same day that a Minister of the Crown made a communication, to the same effect, in his place in Parliament. The intelligence it made manifest between Conciliation Hall and the Cabinet boded no good to Ireland; and when, on the same day, a Minister announced in Parliament and Mr. O'Connell proclaimed in Ireland that it had become every man's admitted right to arm himself, all that was required to invest murder with a character of justice was done. He should like to know from the noble Lord, were he in his place, but, in his absence, he would ask the right hon. Baronet who represented him, how long he thought this state of things would be tolerated in England? Did he not know that before six weeks had passed over the deputations from all parts of the kingdom would reach from his Lordships' residence in Chesham-place to his office in Downing-street, and that the table of the House would not contain one twentieth part of the petitions that would be laid upon it? But the case was different: Ireland was the scene of action—the landlords the victims. The noble Lord, had, no doubt, been told that landlords have brought it all upon themselves. The noble Lord has, no doubt, also heard that the crime of the assassin was the act of the moment, while the offence of the landlord was the guilt of years, and this in extenuation of the murderer. He would ask, can anything palliate murder? and yet it is attempted to be done, even in that House. He would tell the noble Lord that this is no ordinary case—the blood of murdered men cries aloud for vengeance. Their widows—their children—their families—their friends call loudly upon the noble Lord, not for blood—too much blood has been shed already—but for protection—for that protection for themselves which was denied to their husbands—their fathers—their mothers, when living. He had upon the same occasion presented a petition to the House, from Roscrea, signed by eight magistrates, three clergy of the Established Church, and two Roman Catholic clergy, and all the respectable inhabitants, in which they represented, "that on the previous fair day arms were sold by auction in the street, and eagerly bought by crowds of the tenant order." A Mr. Watson, whose son was fired at and dangerously wounded, writes—"Owing to the general armament, the whole population of the tenant order in Ireland may walk the country with their guns primed and loaded at all hours. Spain was never worse—you can get a man shot for half-a-crown." The right hon. Baronet concluded the reading of his catalogue by an observation which he (Sir W. Verner) considered of no great importance, more particularly as concurring fully with the opinions he had expressed, and supporting the statement he had made in May last; thus he could not refrain from calling the attention of the House to it. The right hon. Gentleman said, "he had concluded his lamentable catalogue of outrages and murders, and as every case which he had brought forward, and which constitutes a type of that long catalogue of crimes which have been committed—in every case the crimes have been perpetrated by the means of firearms." He had now only to refer to a letter he had received within the last week from a gentleman in the county which he (Sir W. Verner) had the honour to represent, and which would show to the House the opinion entertained in this country of the state of Ireland. The gentleman, who is a clergyman, had applied to several assurance offices in London to insure his life for a small sum—he had received the same answer from them all, one of which he inclosed, and which the hon. Member would read to the House:—

"Sir—In reply to your letter, I beg to inform you, that we do not grant assurances upon the lives of persons resident in Ireland."

He agreed with the hon. Member for Meath, in his recommendation to the Government, not to allow any other measure to interfere with the one now before the

House, and which was so loudly called for in Ireland, He had no doubt when the ordinary laws of the land were respected, and the people showed that obedience which was due to the constituted authorities, any further measures which might be deemed advisable for the welfare and prosperity of the country would be adopted. But he never could give his consent to make terms with rebels, as long as they retained arms in their hands.

Mr. ANSTEY entertained the strongest possible objection to the Bill. He did not think the Castle of Dublin could be safely entrusted with an unlimited discretion over the liberty of the people of Ireland. The only thing established by the right hon. Baronet (Sir G. Grey) was, that the system by which Ireland had been governed, had utterly and lamentably failed; and it was in consequence of that failure that the House was called upon to confer this absolute discretion on the Lord Lieutenant. When the right hon. Baronet had acknowledged the failure of that system, it might have been concluded that he had made up his mind to retrace his steps, and make the common law of this realm, and of Ireland, a light to his footsteps; but although he admitted that the statutes for the repression of crime in Ireland had utterly failed, his conclusion was that there should be more statutes. He abhorred, as much as any one could, the crimes that had been committed in Ireland; and he did not understand what right any Member of that House had to address those opposed to the Bill in terms implying an imputation of a most degrading and insulting kind. He believed the present measure was utterly useless for the repression of crime in Ireland, and would be effectual only for the introduction of a state of things scarcely inferior in its mischievous character to that state of things which the proposed Bill was designed to remedy. He should be the last person to deny the great merit of Lord Clarendon; but he did not think it right to have the country placed at the absolute discretion of any man. There was no public man in whose integrity and ability he had more confidence than in the right hon. Baronet; but that consideration would not for a moment affect his determination to oppose a Bill which would invest him, after all—for the Lord Lieutenant was only his delegate—with absolute power over Ireland. This Bill had been framed in England and upon English advice, and did not come recommended to the House by a single suffrage or suggestion from the other side of the Channel. Had the Bill proposed that the magistrates should be empowered to grant the use of arms to such as paid taxes and poor-rates, he might have been prepared to support it. But it prohibited all persons whatsoever (with the exception of a few privileged persons enumerated in the Bill) however high or low, however loyal or disloyal they might be, from having or using firearms for self-defence against nocturnal or mid-day violence. And whilst it proposed to deprive the subjects of Her Majesty in Ireland of the privileges which they ought to enjoy according to the common law of the empire, it also seemed to cast reproach upon the gentry and magistrates of Ireland, for it provided that the power of licensing should not be exercised by the local magistrates, but should be confined to those whom the Lord Lieutenant, residing in Dublin Castle, chose to delegate. He had heard the noble Lord the Member for Marylebone (Lord Dudley Stuart), and other hon. Members state that if the Bill did not meet the views of the Irish representatives, they were bound to produce a better measure in its stead. He could not say that he saw the force of that argument. He thought, that if the Legislature was determined on destroying all independent jurisdiction within the kingdom of Ireland—if they were resolved, in their superior wisdom, to prevent Irishmen from having the management of their own affairs—if they would think, speak, and act for Ireland, they must at all events be prepared to accept the full responsibility of their thoughts, words, and actions, and were not entitled to call upon those who told them that failure would be the result of their present measure, to state what they would have done had they been in the place of Her Majesty's Ministers. But he had no hesitation to answer the objections of hon. Members who supported this Bill, by stating his conviction that all the evils under which Ireland, and he might also add England, at present groaned, were owing exclusively to our departure from the common law. He wished the right hon. Baronet the Secretary for the Home Department would proceed in the repression of crime upon the old principle of local responsibility for local crime; and that he would impose upon a district, within which a murder had been committed without the murderer having been discovered, the burden of providing for the

family of the deceased. The people under such a system would do all in their power to drive the ill-disposed and the outlaw from their borders. He called upon the Government to carry into effect the wise proposition of their late Sovereign. The members of the Melbourne Administration knew well what he meant. He alluded to that wise proposition of King William IV., which he had devised for the good of England, and which they intercepted. Let them establish that system of rural municipalities recommended by the late King, so that the usurpations of the Legislature might be abolished one by one, and the common law, the first departure from which was the first commencement of crime, might be fully re-established. If they did that, they would give the people of Ireland an interest in the repression of crime, and the preservation of order. The administration of justice would then cease to be considered, as it was now in that country, a foreign function; the Irish people would not then be governed by a suspected Treasury and a distrusted Executive. They would then see realised in Ireland that which had been recently realised in some of the districts of British India, where agrarian injustice having been put an end to, agrarian outrages also ceased, and the country was restored to tranquillity. The present system of centralisation was the great cause of the evils of Ireland. He objected to this Bill on principle, but he would refrain as much as possible from trespassing upon the House during its progress. He had not as yet opposed that progress with any factious opposition. To meet any Bill with such a course was at all times a difficult and delicate matter, and could only be authorised by the concurrence of various circumstances: that was to say, first, an indisposition upon the part of the House to listen to the arguments that might be brought forward against it; secondly, the existence out of doors of a decided opposition to the measure on the part of a large body of the people; and, thirdly, the presence within that House of a compact and united minority. Now, with regard to the first circumstance, he could not say that there had been an unwillingness on the part of the House to listen to the opponents of the measure. As to the second, he regretted the absence of that strong and enlightened opposition to the measure out of doors which might have been expected; and, as to the third, the existence of unity of action on the part of the minority, the less he said on that perhaps the better.

Mr. P. SCROPE could not agree with those hon. Gentlemen who, in opposing the Bill, had thrown out strong imputations against the Government for bringing in this Bill, because they had on former occasions opposed measures of coercion towards Ireland. From 1833, when he first had the honour of a seat in that House, he had opposed coercion, because he thought it was not a proper mode of legislation, and that instead of using severe means they should search out and remove the causes of those evils. But the present Bill seemed to him introduced under circumstances and to be a character totally different. There had been Governments that not only ignored but denied the existence of the evils of Ireland; but a change had come over public opinion since those days, and there was now a general belief that the misery and crimes of the peasantry arose from the uncertainty of the tenure, and from the uncertainty whether they could reap their crops or derive any advantage from their labour. He would just read what the noble Lord at the head of Her Majesty's Government said in his speech on June 15, when opposing the second reading of the Coercion Bill of the right hon. Baronet the Member for Tamworth:—

> "The possession of land in Ireland is that which makes the difference between the existence and starvation of the peasantry; and therefore their ejectment from their holdings is the cause of violence and crime in Ireland."

It was not possible to express the cause of these evils more clearly. The noble Lord went on to infer that this state of things must be put an end to by passing measures to increase the means of subsistence, and to place the land more within the reach of the Irish peasantry. In pursuance of that policy, and of the course to which he was pledged, he had introduced and carried that great act of justice, of mercy to the Irish peasantry, which might be denominated the *Magna Charta* of the Irish people, for it gave the solemn sanction of the Parliament and the nation to the principle that no man should for the future die of starvation in Ireland, without the responsibility resting on the Government of the country. He regretted extremely that a measure introduced last year, which might be considered one of the series for placing at the disposal of the peasantry those large portions of land which were now locked up by the landlords, in the exercise of their

dog-in-the-manger policy, had not been successfully carried out, and looked with expectation to measures of a similar character from the Government of the noble Lord. On one of those promised by the noble Lord—namely, that with respect to the relations between landlord and tenant—he set the highest possible value; for he believed that to the absence of security of tenure, and to the uneasy feeling which thence arose in the minds of the people, might be traced the origin of all those crimes and disturbances which agitated the country. He was convinced the noble Lord had arrived at the true opinion on this point, and that the House agreed with him; but he doubted very much whether the public out of doors had reached the same degree of enlightenment, and he had heard statements and assertions which confirmed him in the belief that erroneous impressions existed on this subject. It had been said that outrages in Ireland were confined to a very few districts, but he begged the House and the country not to lay that "flattering unction to their souls." The system had been going on for the last sixty or seventy years, and though its effects were for the time confined to particular districts, these were but the local eruptions of a deep-seated, long-continued, and widely-spread general disease. The constabulary returns of the number of agrarian outrages in 1845, presented to the House in 1846, would prove this, for on looking to it he found there was hardly a county in Ireland in which cases of the kind not prevail, from 6 or 8 in Antrim and Armagh, to 154 in Clare, 72 in Limerick, 74 in Leitrim, and 253 in Tipperary. The cause of the greater amount of disturbances in Clare, Limerick, and Tipperary, was, that the soil, being for the most part of an alluvial character, was suited for pasturage, and that the landlords therefore endeavoured to diminish the numbers of the peasantry upon it. There had been thus a constant struggle going on for years between the people, anxious to obtain arable land, and the landlords, who were desirous of turning it into pasture; or, as it might be described in other words, a contest between men and women, and bullocks and sheep, for the possession of the soil. Tenant-right existed in Antrim and Armagh, and therefore the number of agrarian outrages in those counties was less than in Clare, Limerick, and Tipperary, where, in the last particularly, it had been frequently denied, and where ejectments were very frequent. He could not but quote to the House on this point the evidence of Mr. Cahill before the Devon Commission, a gentleman who, as Crown prosecutor in Tipperary, had peculiar opportunities of knowing the exact state of the case. He said—

"I am perfectly convinced that there is no agrarian outrage committed but that the inhabitants about know all the circumstances and the parties concerned.

"To what do you attribute that indisposition; is it to terror or any other cause?—In some degree to terror, but there is an actual indisposition on the part of the people to give evidence. They believe that their own interests are bound up in the cause of the parties committing these murders, and any party giving evidence against them is looked upon as an enemy to the general class to which he belongs.

"Do you conceive that undue protection is given to the parties engaged in these outrages? —My impression is that the occupiers of land —farmers and small tenants—will all receive a man that they know to have been guilty of a crime of that description, and that they will harbour him and protect him, and he is, in point of fact, looked upon as a better man than another because he has put down what they call a tyrant. He is sure of being received wherever he goes, and has the character of what they call a 'good boy.'"

Another witness, equally worthy, whose evidence went to the same effect, was Mr. Maurice Collis, who had been engaged as agent to the estates of Trinity College, Dublin, and was for a long time engaged in compiling statistical returns. That gentleman said—

"I went among the people in Tipperary, and when I told them the very bad name their county had in every part of Ireland—that I should be shortly in the north, and that I would scarcely be credited when I mentioned that I trusted myself amongst them, a total stranger, and that too on inquiries about their lands, at such a late hour—the reply was, that there was no danger, but that they would not be ground down by any landlord or agent, and that if in other places persons acted in the same way, perhaps they might fare better. I asked about the plan adopted when leases fell in, or in cases of ejectment, emigration, &c. &c.: the answer was, no compensation or consideration. I stated the general system in the north; and when I related cases where the tenants were ejected for non-payment of rent, and that when the new tenant came in, he would not get the farm, nor in many cases would he take it, without purchasing the tenant's right, and any balance which remained, after deducting the arrears, was handed over to the former tenant, and unless the arrears were very great, he had generally to receive a handsome sum; they said, if such a practice was adopted in Tipperary, there would be but few murders; and if the same practice was in the north amongst landlords and agents as in their county, they might be worse. I turned to one man in particular, and said to him, 'You are not oppressed by

your landlord, yet you encourage that observation by your manner, and yet you well know you could not turn off any one of your cottiers, which I noted down a few minutes since, except at the risk of your life.' His reply was, he did not know the day he or some of his friends or relations might be ejected. They then mentioned the names and circumstances of several tenants in their neighbourhood who were lately served with ejectments, and they asked me what were these men to do.

"Did they say anything about the landlord?—They did; from the statements made, I said something about his being shot. They said he had been fired at three times; and when I said I thought Tipperary boys were better marksmen, some person in the crowd said he would get it yet.

"Did you gather from that conversation with them that what they seemed to consider as a most unjust practice towards them, was ejecting them from lands on the expiration of their leases?—Yes, that was the thing they dwelt on. It is considered a barbarous act on the part of the landlord, and an equally meritorious act on the part of the tenant to revenge it. And, as they express themselves, they and their fathers before them toiled on the land, they knew every sod of it, they paid the full value of it, and were still willing to do so; but no men could stand and see themselves turned destitute and houseless on the world. In no observation made did I collect anything like an objection to pay the full value, or more than the full value of the land."

It appears that the very farmers were afraid of turning off their labourers, lest violence should be offered to themselves, or to those who were newly employed by them. All these facts tended to show that a state of things existed in these counties contrary to civilisation and to every principle of human nature and of feeling. He admitted that the excuse resulting from starvation had been put an end to by the law passed last year; but the whole class of small holders, forming the middle classes of Ireland, were exposed to be ejected from their holdings, turned out to utter destitution, and have no other refuge but the workhouse, or such other provision as was afforded by that law, of which they had as yet had no experience, and which, if not carried out more humanely than before, would not rescue them from the extremities of starvation. It was said that the present crimes were different from those committed on former occasions. He believed their number was not greater, though perhaps the attacks had been made on a somewhat higher class. But let the House recollect the circumstances in which Ireland was now placed. Last year, from 500,000 to 1,000,000 of persons died of want. Was not this enough to increase the dread of the survivors at the present moment, and to induce them to grasp with still more desperation than before the sole source of subsistence they possessed—the occupation of a small portion of land? It would appear to him a miracle that the rental of Ireland should be collected in the present year, and enough left for the population to subsist upon. The whole system seemed hitherto to have rested upon the potato; when that was destroyed, he did not see how it was possible for them to find subsistence for themselves and their families. The rents were formerly paid out of the potato crop; when that was destroyed, whence was the rent to come? Yet the rents which had been fixed in former years still remained due. The value of the destroyed potato crop was about 16,000,000*l.*—equal to the presumed rental of Ireland. This would necessitate the purchase of food to a great extent; and having nothing from which to provide means of living, how were they to make up the rent due by them? It should be remembered, that the effect of the poor-law passed last Session was, to a certain extent, to induce landlords to proceed more rapidly than ever in the clearance of their estates, and get rid of the class of small tenants under 4*l.* a year, whose rates were payable by the landlord. The hon. Member for Tavistock said, the only hope for Ireland was the wholesale and universal clearance of small estates. Earl Fitzwilliam said, that the great evil was the existence of 7,000,000 cottiers, occupying small tracts of land with their cottages, and that this was an evil which the State ought to proceed to remove as speedily as possible; that was, to remove the only means of existence of 7,000,000 of the population. That, no doubt, was an exaggeration; but the number of occupiers of land under ten acres was 600,000, and the population represented by them, 3,000,000 or 4,000,000. When men of authority and influence were heard in high places using such language as that, and speaking so lightly of the possibility of getting rid of small occupiers, removing them from the only means of existence at present in their possession, or which they could hope to possess other than the workhouse, he really thought they needed not to look further than that for the cause of the extraordinary increase of alarm which was evident in the minds of the peasantry of Ireland—alarm at the prospect of being turned out of their holdings, and sent to utter destitution. He had said enough to justify his opinion that the

insecurity of tenure was the cause of those outrages. It was not only the cause of agrarian outrages, but of the other evils which existed in Ireland. What were the most prominent evils afflicting that country? The want of industry in the peasantry, and, at the same time, the miserable state of cultivation prevailing. These evils were to be referred to the same cause. The peasantry did not exert themselves, because they were not allowed to reap the fruits of their labour; therefore Ireland did not produce one-fourth of what it might produce. It was notorious that when a small farmer took a tract of land, and brought it by the sweat of his brow into a state to produce profitable returns, in many instances the landlord or his agent came down upon it, and made him pay an increased rent for the farm, thus appropriating all the increased produce which could be grown by his exertions. If a single instance of that kind occurred in a district, of course it indisposed all the peasants to make improvements, in their anxiety lest they might be made to pay a double rent. Hence it was, that if they made a little money, they laid it in a bag in the corner of their house, and refused to make any improvements, which it would be easy to effect from one end of Ireland to the other. He might produce instances from Tipperary and other parts of Ireland of the rent being doubled the very first year. The great evil was the refusal to give encouragement to the peasantry to improve the land, on which otherwise they would be glad to spend their labour. The remedy, therefore, was to give them security of tenure, and, in the words of the noble Lord (Lord J. Russell) last year, "to place more at the disposal of the peasantry of Ireland the land which it was so great an object of desire with them to possess." That pointed to a better law of tenure, and a measure he had long advocated—the placing the waste lands at their disposal. He could prove that there was not a single district in Ireland, not the most distressed that had been named, which could not be made to maintain its population, if proper means were adopted to encourage their industry. He might mention one case which furnished a curious instance of this. Last Session a Committee was appointed in the other House to examine the question of removing a large proportion of the population of Ireland to the colonies. It seemed to be the object of the noble Lord who presided to make out a case that Ireland was not able to support its population, and, consequently, that emigration was absolutely necessary. Questions were asked of several witnesses as to a union which was represented to afford the most striking example of a surplus population—that of Glenties, in Donegal, with a population of 43,000 souls, and a rental of only 16,000*l.* a year. Of course, putting the case thus, those who were not acquainted with the circumstances said there could be only one remedy—emigration. That was an instance of a fallacy very common, that of judging the means of Ireland for supporting its population by the rental which was now taken from the country; whereas the very fact of a low rental proved that its resources were not half developed, and the rental might be doubled if a proper use were made of them. Father Mathew was examined on the point, and stated that he knew Glenties well; that there was no district in Ireland which presented such resources for the employment of the labouring population; that there were many thousands of acres of waste land in the neighbourhood which might be made extremely profitable for the maintenance of the people, and that the farmers told him the cost of reclaiming it was 8*l.* an acre less than the value of the crop which might be raised from it; but that if they reclaimed it, they had no security against being turned out of their farms directly. He might refer to many other instances to show how the insecurity of their tenure operated. Mayo was capable of maintaining in comfort and happiness the whole of its now miserable population. There were in that county 1,200,000 acres, of which only 500,000 were in cultivation; and 500,000 of the waste had been declared by Mr. Griffiths to be capable of profitable cultivation. These were the grounds on which he believed that nothing more was wanting to remedy the miserable condition of the tenantry—the uncertainty of their condition—which led to agrarian outrages, and the poverty of the country, than placing at the disposal of the peasantry some of those lands at present lying waste. This would enable the population to live without coming on the resources of England. The hon. Gentleman quoted, in support of his views, a letter of the late Mr. Drummond. It was for the Government and the Legislature to interfere to limit and define the rights of the landlords, and enable the tenantry to carry on the

cultivation of their native soil in such a manner as to obtain subsistence for their industry, without being detruded from the surface of the land, and driven over, as they must otherwise be, to this country, in numbers far exceeding those of last year. He was not opposing the measures of Her Majesty's Government; his only object was to press on Government and Parliament the necessity of taking the most vigorous, prompt, and determined means of putting an end to those crimes which were so deeply to be deplored.

Mr. SCULLY said, that though no one attempted to deny that crime and outrage prevailed to a great extent in Ireland, he felt bound to state that in Tipperary crime was restricted within small districts. The condition of that county had often been alluded to in the debate; and on a former occasion the hon. Baronet the Member for Marylebone (Sir B. Hall) had noticed with some severity the language which had been used by a Roman Catholic clergyman at a public meeting in that county. At that meeting he had been a spectator, a prominent spectator, and he could state upon his conscience that the effect of the speech —the whole speech—upon him, was, that it was intended to repress outrage and crime. The words wore not, perhaps, such as he himself should have used, had he spoken on the occasion; but he must again state that the substance of the speech, as delivered, was such as led to the impression that its object was the repression of crime. With respect to the Bill before the House, he must say that he did not think it would be effectual for the suppression of crime. He thought that the vigorous application of the ordinary law would have effected all the objects contemplated by this Bill. He had read in a newspaper published in the county which he had the honour to represent, that the number of criminals in the gaol of the county town (Clonmel) was 350, and that of those 19 were cases of murder. Why, he asked, should not a special commission be sent down for the trial of these men? Why could they not adopt a course similar to that which they pursued when disturbances occurred in Wales, in 1843? From the evidence given before the Devon Commission, it fully appeared that these outrages were generally connected with questions relating to the occupation of land. It was their duty, then, in the first instance, to root out the cause of crime. One of the great difficulties in the way of bringing offenders to justice, was the impossibility of procuring evidence, arising from the sympathy of the peasantry with the criminal. Class legislation had produced much evil in Ireland. Among the landlords, however, were many who had done their duty; but one bad landlord often was the cause of the good landlord being made to suffer. There were two matters mentioned in the report of Lord Devon's Commission, to which the disorganisation of the social condition of the lower classes in Ireland had been chiefly attributed—namely, the want of education, and the want of employment of the people. And there was very little doubt but that the evil of the existing state of things in that country had been much aggravated by those two causes. What greater inducements could there be to the perpetration of crime than ignorance and idleness. The hon. Member who had last addressed the House had drawn a melancholy but a too faithful picture of the condition of that country. With the knowledge, then, which the House possessed of the evils resulting from the ill-regulated relations between landlord and tenant, the want of enlightenment, and the absence of productive or profitable labour, ought not the attention of the Legislature in the first instance to be mainly devoted to those questions? With respect to the proposed Bill, he was not averse to such a provision as that which was made in the first clause, for the granting of licences to possess arms. But with respect to those provisions for the expenses of the increased constabulary force which might be appointed, he thought these were in some degree unjust, as by them the innocent would be made to pay for the crimes of the guilty. He considered the punishment also which was attached to some of the offences created by the Bill was excessive; and he objected to the great powers which were placed in the hands of the Lord Lieutenant. Such powers might, perhaps, be safely entrusted to such a nobleman as the present Lord Lieutenant of Ireland; but who could tell how soon they might devolve upon an individual not capable of exercising them with so much moderation and judgment. The power, too, which it placed in the hands of the police he considered objectionable; however, generally, that body might be accounted as discreet and excellent a force as ever carried arms. It behoved the Legislature, therefore, to be

cautious in entrusting such extraordinary powers as those given by the proposed measure to parties who might, perhaps, abuse them. He would not offer any further opposition to the Bill going into Committee, but would reserve to himself the right of amending such parts of it in detail as seemed to him objectionable.

Mr. O'FLAHERTY agreed with the hon. Gentleman who had just sat down, that it would not be attended with any good practical result to offer any further opposition to the Motion for going into Committee on the Bill. For his own part, he did not think the Bill would remedy the evils it was intended to meet. He concurred in the opinion expressed by the hon. Member for Stroud (Mr. P. Scrope) that those evils were deeply rooted, and he thought that legislation should at once, and in the first instance, be directed towards the settlement of the relations between landlord and tenant in that country; and a measure of such a kind would do more towards producing peace and tranquillity in Ireland than such a Bill as the present. He approved of the poor-law in Ireland; and he thought, with a few amendments, that it might be made to work very beneficially. He thought it would be advantageous, for instance, to confine to the respective townlands the poor of each, and then a good man would not be obliged to bear the expense caused by a neighbour's delinquencies or defalcations in his duty.

Mr. O'CONNOR would not have intruded upon the attention of the House, but for something which had fallen from the hon. and gallant Colonel the Member for Armagh (Sir W. Verner), and from the hon. Member for Stroud (Mr. P. Scrope). The observations of the former hon. and gallant Member must have made the right hon. Baronet the Secretary of State for the Home Department (Sir G. Grey), pray to God to defend him from his friends. He thought that the hon. Member for Stroud's speech, however, furnished the strongest possible reasons why remedial measures should be introduced for Ireland instead of coercive ones. That the landlords of Ireland would use the powers of the proposed Bill to screw out higher rents from their unfortunate tenantry, he very much feared. But he believed they would have been in Committee then upon the Bill but for the speech of the hon. and gallant Member for Armagh—a speech which proved that the hon. and gallant Member was not a judicious counsel, for he should have held his peace when he found the court was with him. It had been said that there was no expression of public feeling in this country against the proposed Bill. Now that he (Mr. O'Connor) denied, for had he not presented a petition, most numerously signed, against it? For his own part, he was opposed to the Bill, because it was a direct violation of the principles of the British constitution; and, more than all, because it was unaccompanied by remedial measures. He thought the existing law was sufficiently severe. It appeared to him, seeing that so many hon. Gentlemen opposite who might be expected to speak on this question, were silent on the subject, that the Government must have mesmerised or electrified, or used some mysterious influence of that sort over them, to keep them from expressing their opinions on the present measure.

Mr. REYNOLDS was not one of those hon. Members who had been mesmerised, and as he had voted against the Bill in all its stages, he begged to throw himself on the indulgence of the House, while he briefly explained the motives by which he was influenced in the course which he had pursued. He did not intend to offer any factious opposition to the Bill. He had not been sent to that House for factious objects; and, therefore, he would not object to the Bill going into Committee, where he hoped it might be improved as much as possible. He had to express his deep regret, however, that the Government had at all introduced that Bill. He was opposed to the Bill both on constitutional grounds and because of its inutility. Let him remind the House that since the time of the Union of the two countries the Imperial Legislature had passed no less than about thirty Coercion Bills for Ireland. Every year brought its Coercion Bill as regular as any annual enactment. It had been said that the present was a comparatively mild measure. Now, he did not think it was such a milk-and-water measure as the right hon. Baronet at the head of the Home Department had described it, for in its 17th Clause, for instance, it enacted the incorporation with itself of one or two former Coercion Bills, the provisions of which it would have been well to have set forth. But even in introducing this measure the right hon. Baronet (Sir G. Grey) had acknowledged that crime in Ireland had considerably diminished in the present year of 1847, as compared with the preceding one of 1846.

The crimes of the Irish aristocracy against the Irish people were so notorious that he doubted very much whether any person who denied their existence would be believed; although he freely admitted that there were in Ireland some landlords who for benevolence and kindly feeling might bear a comparison with the best landlords of this country. But he did not mean to say that the landlords were the only oppressors of the poor of Ireland. He believed that there were many more oppressors of the poor of that country clothed in frieze than clothed in broad cloth. He believed that the most unrelenting enemies of the Irish poor were the members of the class immediately above them; and he was not surprised to find that a portion, at least, of that class were in favour of the Bill before the House. He would vote against this Bill, because he believed it would be inoperative for the punishment of the guilty, while it contained provisions that would enable those who had the administration of the law to inculpate the innocent. It had not been found necessary to suspend the constitution in England when the insurrection under Frost and Jones took place in Wales—an act amounting to high treason; nor was the constitution suspended in the case of the Rebecca riots in Wales, or the disturbances in the North in 1842. In all those cases the ordinary law was found sufficient, the only extraordinary steps taken by Government being the appointment of special commissioners to meet the various cases. The same course was followed when the Terry Alt disturbances occurred in Ireland, and also when the Queen's County and Kilkenny county were in a disturbed state. Then why was a special commission not tried now? The House had been informed by an hon. Member that 300 prisoners were lying in Tipperary awaiting trial. Could not a special commission be appointed for the trial of those prisoners? He was satisfied that such a course would have a better effect than a dozen Coercion Bills. He opposed the Bill also because it would encourage the spy system, which would be a great cause of increasing crime in Ireland. It would, in fact, be holding out a premium not for the prevention, but the encouragement of crime. The 12th Clause of the Bill would not possess the negative merit of being inoperative of evil. He feared that it would be productive of very great mischief, inasmuch as that it would promote such infamous occurrences as the conspiracies of Shinrone and Doneraile, and afford a fatal facility for the diabolical operations of those miscreants whose object it was to spread disunion through the country, and to distribute the money which that House entrusted to the Executive Government for the administration of justice in a deliberate attempt, not to prevent crime, but to foster and encourage it. While on the subject of blood-money, he would take occasion to express his conviction that until the Government came to the determination of never again devoting one penny of the public money to such a purpose, they might expect to have from year to year an abundant crop of agrarian crime and outrage in Ireland. That department of the police system which was known as the detective force, was, in his opinion, the very nursery and hotbed of crime. It was his conscientious conviction that it was an atrocious system—an execrable and infamous system, and he would never hesitate to declare his unqualified abhorence of it. The principle of the British constitution was, that it was better that ninety-nine guilty men should escape, than that one innocent man should suffer; but the principle of the detective system was, that the immolation of ninety-nine innocent men was as nothing compared with the punishment of a single offender. No country could be free, happy, or contented where the blood-money system prevailed. The right hon. Baronet the Secretary for the Home Department made in the speech with which he introduced the present measure, a grave and solemn allusion to the frequency of the offence of writing threatening letters. Documents of that menacing character he (Mr. Reynolds) had himself occasionally received; but he invariably had found that their style of composition was admirable, and that the handwriting was better still—a fact which favoured the supposition that they had been penned by persons of greater intelligence, and in a higher sphere of life than the peasant population. He would take leave to warn the right hon. Baronet against attaching too great importance to such communications. Ten to one they were written by some officer of police. Why, such things had occurred before now—witness Doneraile and Shinrone—and why should they not again? Nothing in life was easier than to get up a manufactory of such letters. At all events, it was grossly unjust to malign the whole character of the Irish people on

account of such proceedings. With respect to the Bill itself, he was not sanguine enough to believe that any exertions of his, or of the minority with whom he acted, could bring about its defeat. Unfortunately its fate was inevitable. He saw clearly enough from the temper of the House that the Bill would pass, not in all its integrity—for it would be ludicrous to couple the word with such a measure—but in all its native deformity. He had no doubt but that even a more severe measure would be sure to receive the assent of the House. He had heard one hon. Gentleman, of a peculiarly beneficent turn of mind, observe, that if the task of drawing up a Coercion Bill for Ireland had been assigned to him he would have concentrated in one measure the accumulated virus of every other Coercion Bill that had ever passed, and presented the Irish people with the very essence of coercion. If the present Bill were likely to confer any permanent benefit on Ireland, he would not resist it; but he believed in his conscience it would have no such effect. It would not disarm the marauder or murderer; but it would leave the well-meaning farmer or gentleman at the mercy of the murderer, who if he could not get arms by peaceable means, would procure them on any terms. If the Government had come forward and proposed to define what classes in Ireland should be permitted the use of arms, he would have voted with them. He would willingly give his sanction to a law to enact that no man in Ireland should be permitted to keep arms, unless a man rated to the relief of the poor. He did not see the benefit of giving arms to a man unless he had a dwelling to protect. After fixing the qualification at 5*l.*, he would enact that no man should be permitted to carry arms beyond the precincts of his farm or property, unless he were licensed to kill game; and he would make it a misdemeanor for any man to carry arms, unless expressly privileged, at night. He was of opinion that the Government were wrong in not having applied a legislative remedy to the undue possession of arms before now. The present measure ought at least to have been accompanied by some remedial enactments. When he received a summons to attend in that House, on the 18th of last month, he had hoped that his presence had been required to assist in preparing some such measure, but he had been grievously disappointed. A Landlord and Tenant Bill, a Bill to facilitate the sale of encumbered estates, and a Bill to revise the grand jury laws, had all been promised, and would all be excellent in their way; but not one of them would afford any immediate relief for destitution in Ireland. He repudiated the intention of begging money for his countrymen in that House. If his country got fair play, and were wisely and honestly governed, she would be well able to support her own poor. Last night he had heard a noble Lord speak of the quantity of money voted for the relief of Irish distress. He held in his hand a Parliamentary paper containing the particulars, and he found certainly a very large sum voted for that purpose. He found an amount of 10,942,000*l.* voted, of which 7,815,000*l.* had been expended. Of this he might say that 3,500,000*l.* were in the nature of a grant, and the remainder in the nature of a loan. He had heard much said of the liberality of England, and no man entertained a more exaggerated, notion of that liberality than he did. He had the honour of reckoning many Englishmen amongst his most steadfast friends; but anything might be exaggerated, and so might English liberality. It must not be forgotten that the sum voted was to come out of the Consolidated Fund, to which the people of Ireland and Scotland contributed, and therefore the sum of which they made a present to Ireland was partly chargeable on herself, and the enormous balance was chargeable upon Irish lands and railroads, and very properly so. He was by no means prepared to rob the English Exchequer, or encroach on the revenues of any part of the United Kingdom; but it had been admitted that the potato failure was an imperial calamity, and that it should be borne by the imperial resources. Had that promise been kept? It had not. If so, the whole sum ought to be debited to the Consolidated Fund. He was not now casting any blame on the collective wisdom, but merely wished to dispel the illusion that England had made Ireland a present of 10,000,000*l.* England had made Ireland a present of 3,500,000*l.* or 4,000,000*l.* [Mr. B. Cochrane: What did the British Association do?] He was asked what the British Association had done. He answered with pleasure that they had contributed a very large sum. The British Association had done towards his country what the British people always had done in a time of calamity—they had opened their purses. He was glad that he had been asked the question, because it en-

abled him to answer it there as he had answered it elsewhere. Any influence which he might enjoy among his fellow-countrymen he had invariably used for the purpose of impressing on their minds that, in the hour of calamity, when it had pleased the Almighty to visit them with famine and pestilence, their best and stanchest friends were the people of England. He hoped he had satisfied the hon. Member. [Mr. B. COCHRANE: Hear, hear!] He trusted also that he should have the benefit of his vote and assistance when measures of amelioration and substantial benefit should be introduced for the relief of the people of Ireland in that House. He was no advocate of violence to any one; but when his countrymen, as a body, were branded as assassins and murderers, he must not be surprised if a shout of defiance was echoed from the rock of Cashel. He trusted all would combine to neutralise those feelings of bitterness which had proved the bane of his country. He regretted to observe a disposition to indulge in strong expressions against the people, to screen the landlords, who, in his opinion, were the cause of that misgovernment to which might be traced the agrarian outrages which had disgraced Ireland; and he acknowledged with regret that the oppressions of the landlords and the murders which had followed, might be placed in the relation of cause and effect. The robbery of the hon. Member for Bolton, in Wales, had been referred to, on which occasion it was said the people had lent their willing assistance to secure the criminals; and it had been asked if the same thing could have happened in Ireland. The same thing had happened in Ireland, he would show. Mr. Pryme, a pay clerk of the Board of Works, was travelling in a jaunting car from Kilkenny to a place called Bennett's Bridge, when he was attacked by highway robbers, who fired at him and his party. The encounter ended in the robbery and murder of Mr. Pryme. How did the people act? They assisted the authorities in pursuing the murderers, who were taken, convicted, and executed. He had been in the habit of travelling with large sums of money in all parts of Ireland for eight years past; and although this fact was known to the people, he had never been attacked or molested. This was a proof that crime in Ireland was of an exclusively agrarian character. He repeated that it was not his intention to offer any factious opposition to the Bill. He threw all the responsibility on the Government. If the Bill was to pass, it mattered little whether it became law on the 1st of January or on the 1st of May. If it were a good Bill, the sooner it passed the better. He believed it to be a bad Bill; and if it were a bad Bill, and likely to work ill, the sooner it passed the better, because the sooner would his prophecy be realised.

COLONEL ACTON regretted the delay which had been interposed to going into Committee. He hoped that the Bill would have the desired effect, though he greatly feared that it would fall short in consequence of the intimidation of juries. He believed that juries would be always ready to do their duty if they could do so with safety; but he had conversed with many who told him they were apprehensive that they would not be able to do so under the threats to which they were subjected.

House in Committee.

On the 1st Clause,

MR. J. O'CONNELL complained that this clause was at variance with the statement made by the right hon. Baronet the Secretary of State for the Home Department in introducing the Bill, who professed an intention of confining its compulsory provisions to those districts in which outrage prevailed. The effect of the clause, as it stood, would be to subject, at the pleasure of one man, the most peaceable districts in Ireland, where crime and outrage had been unknown within the memory of man, to all the pains and penalties contained in the Bill. He moved an Amendment to insert words limiting the operation of the Bill to those districts in which crime and outrage had occurred.

MR. R. M. FOX objected to the clause, because he conceived it was so partial in its operation that it would tend to extend crime instead of preventing it. He begged to ask the right hon. Gentleman whether he had taken this subject into consideration, and whether he had in contemplation any measure for preventing the extension of crime into those districts that are now peaceable?

SIR GEORGE GREY remarked, that the object of the Bill was to lessen the facilities which now exist for the commission of crime, and to lead to the detection of those who are guilty of crime. The hon. Gentleman the Member for Limerick had said, that on getting leave to introduce the Bill, it was stated that it should have but a partial application; but he (Sir George Grey) remembered that he distinctly stated that the partial application

might be extended to any part of Ireland in which, in the opinion of the Lord Lieutenant and the Privy Council, the Bill ought to be enforced. With regard to the observations of the hon. Gentleman the Member for Longford, he (Sir G. Grey) did certainly hope that the commission of crime did not arise from the mere sanguinary wish to take away life. He considered there might be causes which led to the commission of those crimes in some parts of Ireland that were not in operation in other parts of the country; but if the crime extended to those districts where such causes did not prevail, no measure could be too severe to put down such a system.

Mr. FOX believed, as had been observed on a previous night by the hon. Member for Mayo, that in general those crimes were committed by persons who were not under the control of any authority; he considered that they would emigrate, when they found it expedient, to other districts, and could be had in many instances for purchasing them.

The Committee divided on the question that the words be inserted:—Ayes 4; Noes 203: Majority 199.

List of the Ayes.

Meagher, T.	O'Connor, F.
O'Brien, T.	Reynolds, J.
TELLERS.	
O'Connell, J.	O'Connell, M. J.

[It seems unnecessary to insert the Noes.]

Remaining clauses of the Bill agreed to.

Mr. BAINES then proposed the clause, of which he had given notice, to the effect that accessaries after the fact to murder and attempt to murder may be tried and punished, although the principals may not have been convicted or taken. The hon. and learned Member explained that there was no defect in the law as it stood with respect to accessaries before the fact; for, by the 9th of George IV. they were liable to be convicted, although the principal might not have been convicted or taken. Up to that time an accessary before the fact could in no case be convicted, unless the principal was rendered amenable to justice. If, therefore, a murderer had escaped, the accessary before the fact could not be touched. The House would scarcely believe that when that defect in the law was remedied as regarded accessaries before the fact, the same defect was suffered to remain with respect to accessaries after the fact, so that now if a principal were not forthcoming for trial, you could not touch a hair of the head of an accessary after the fact, and by the law he would literally go scot free. He conceived this point of great importance as regarded Ireland, where there was a general sympathy with offenders, and an inclination to screen them from justice, and he trusted the Government would embrace the opportunity of removing so serious a defect from the law both of England and Ireland.

Clause brought up and read a first time.

On the question that it be read a second time,

Colonel SIBTHORP considered the country was greatly obliged to the hon. and learned Member for the introduction of the clause. He had not intended to give any kind of support to Her Majesty's Ministers in this Bill, which he considered one of the most milk-and-water and cowardly Bills ever introduced to the notice of that House; but his resolution had been changed from reflecting on the necessity of seeking out and punishing accessaries after the fact of murder. He thought some measure ought to be devised to reach those gentlemen in soft raiment who preached peace, but who had anything but peace in their hearts. He had no hesitation in saying that when men were denounced from the altar, let those who denounced them be hung—or let them be transported for life. He thought that the clause proposed would be of great value to this Bill. Unless a measure ten times more coercive were adopted, the state of Ireland would be ten times worse than it was.

Clause read a second time, and ordered to be added to the Bill.

House resumed.

Report to be received to-morrow.

House adjourned at One o'clock.

HOUSE OF COMMONS,

Saturday, December 11, 1847.

Minutes.] Public Bills.—*Reported.*—Crime and Outrage (Ireland).

Petitions Presented. By Mr. Ricardo, from Worcester, for Removal of Jewish Disabilities.—By Lord D. Stuart, from Ayr, for Alteration of Law relating to Turnpike Roads (Scotland).

CRIME AND OUTRAGE (IRELAND) REPORT.

On the Order of the Day for bringing up the Report on the Crime and Outrage (Ireland) Bill,

Mr. J. O'CONNELL said, he did not mean to oppose the reception of the Report, as the feeling of the House had been

so strongly expressed with reference to the Bill; but he hoped he should not be considered as interposing any improper obstacle to the progress of the measure if on Monday he felt it his duty to take the sense of the House on the third reading, in order to show distinctly that the House had not thought fit to adopt remedial measures before applying coercive measures to Ireland.

The Report, with Amendment, was received. Bill to be read a third time.

House adjourned at a quarter past Twelve o'clock.

HOUSE OF LORDS,

Monday, December 13, 1847.

MINUTES.] *Took the Oaths.*—Several Lords.

PUBLIC BILLS.—1ª Crime and Outrage (Ireland).

PETITIONS PRESENTED. By Lord Stanley, from the Presbytery of Brechin, Forfar, and Bishops Caundle, Dorset, against the Admission of Jews into Parliament.—From Toxteth, near Liverpool, and Folkestone, for the Removal of Jewish Disabilities.—By the Duke of Richmond, from Provost and Town Council of Ayr, for Inquiry into the present System of making Roads and Bridges in Scotland.—From Tylehurst, and other places, for the Imposition of Heavy Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—From Clerks and other Officers connected with the Administration of the Poor Laws, that Boards of Guardians may be Empowered to Grant them Superannuation Allowances.—From Merchants of Edinburgh, against the Laws relating to the Currency introduced in the years 1844 and 1845, and especially the Act to Regulate the Issue of Bank Notes in Scotland.—By the Bishop of Exeter, from the Mayor and others of Devonport, and Diocese of Exeter, complaining of the Spiritual Destitution of the Town, and for the Adoption of Measures to remedy the Evil.

SPIRITUAL DESTITUTION OF DEVONPORT.

The BISHOP of EXETER, in pursuance of the notice which he had given, begged leave to call the attention of their Lordships to the petition which he held in his hand, which showed a case of singular destitution and singular hardship, and he would add singular fraud, but not fraud that in the slightest degree he connected with Her Majesty's Government. It was fraud that had arisen, perhaps, not from the fault of any Government in particular, but from the unhappy system which was very prevalent in the administration of affairs in this country. Things were permitted to flow on in the course in which they happened to be until the evils resulting from them were absolutely intolerable. The present case related to the spiritual destitution of three ecclesiastical districts recently established in the town of Devonport, and was the petition of the Ministers of the three newly constituted ecclesiastical districts, and the Mayor and Magistrates of the borough of Devonport. It showed that within the fortifications of Devonport were contained 27,000 persons, 26,000 of whom, so dense was the population, were crowded within a space of less than one-fifth part of a square mile. There was no town in England that approached to this in density of population. In London the population was 50,000 to every square mile; in Liverpool, 100,000. But in Devonport the population was in proportion of 130,000 to the square mile. The petitioners stated that within the limits inhabited by this population, there were no parochial church or chapels, there being only two proprietary chapels, having no free seats except the pews which might be found in the passages and corridors of the building. The districts of which the petitioners were the ministers contained not fewer than 18,000 souls, wholly unprovided with any church or chapel whatever. These were assigned as districts, under the 6th and 7th Vict., commonly called Sir R. Peel's Act; one condition of the establishment of such districts was that there should not be a consecrated church or chapel within them. Their Lordships would see that these three districts contained, on an average, each 6,000 souls, without any church or chapel whatsoever. The only free schools accessible to the population were a ragged school and a free day-school for the sons of seamen, and of pensioned and retired soldiers, fishermen, and watermen; but it was, of course, impossible that the three clergymen of the Church of England who had the spiritual care of so enormous a population could devote any attention to the administration of religious instruction in those schools. But this was not all. The want of the ministration of the Church had been in no way supplied by the labour of other classes of Christian teachers. In the several Dissenting meeting-houses within the town, the accommodation for those who were unable to pay was very small. He would not wound the feelings of their Lordships by telling them of facts which had fallen within his own knowledge —these facts became more disastrous— they had a more imperative claim upon the attention of Parliament and of the Government, because they were connected with the sufferings of those men upon whom our greatest temporal interests depended, for these 18,000 sailors chiefly had retired pensions after having long been in the ser-

vice of the country. This state of things attached to a population which had been created altogether by the demands of our naval and military service, and had the strongest claim on the Government of the country; and it seemed as if they were absolutely cut off from the sympathies of men. He had endeavoured, two years ago, to obtain a subscription to provide some relief for this fearful destitution; but his applications had frequently been met by the observation that, under the circumstances, it was the duty of the Government to come forward and afford the means of religious instruction. It was certainly impossible, from the general poverty of the people, that they could contribute anything like the sum requisite for the erection of three churches, which would not be less than 15,000*l*. The petitioners, in conclusion, prayed the House to give them its powerful support, urging their case on the attention of the Government.

The Marquess of LANSDOWNE observed that it was quite unnecessary for him to say that the subject was worthy the consideration of Government. No doubt the right rev. Prelate had made a correct statement of facts; but the only means of remedy was that of a special grant; and the question would be, would the House of Commons be satisfied that there was sufficient evidence to make such a grant? He could not say how far this case was to be distinguished from others; but that it would receive every attention no one could doubt.

House adjourned.

HOUSE OF COMMONS,

Monday, December 13, 1847.

Minutes.] New Writ.—For Tamworth, *v.* the Right Hon. William Yates Peel, Chiltern Hundreds.

Minutes.] Public Bills.—1° New Zealand Government. *Reported.*—Railways.

3° and passed:—Crime and Outrage (Ireland),

Petitions Presented. By Mr. Gladstone, from Clergymen of the Archdeaconry of Bucks, for Alteration of the Law relating to Bishops.—By several Hon. Members, from various places, for and against the Removal of Jewish Disabilities.—By Lord Ashley, from Manchester, respecting the Ecclesiastical Provision for the Parish of Manchester.—By the Earl of Arundel and Surrey, from Southwark and Lambeth, against the Roman Catholic Charitable Trusts Bill.—By Mr. Frewen, from Leicester, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland).—By Mr. Ewart, from Inhabitants of Van Diemen's Land, respecting Free Emigration to that Colony.—By Lord Ashley, and other hon. Members, from several places, for Inquiry into the Case of the Rajah of Sattara.—By Mr. Ewart, from Tradesmen, Mechanics, and other Inhabitants of the Town of Launceston, in the Island of Van Diemen's Land, for the Abolition of Transportation to that Colony.—By Mr. Wakley, from Cornwall, for Alteration of Property Tax.—By Mr. F. O'Connor, from the County of Mayo, for Relief (Ireland).—By Mr. O'Flaherty, from Inhabitants of Galway, for making a Packet Station of Galway Bay.

DR. HAMPDEN—THE BISHOPS' REMONSTRANCE.

Mr. C. LUSHINGTON: Seeing the noble Lord the First Minister in his place, I beg to ask him a question relating to a correspondence which I have seen in one of to-day's newspapers, which correspondence comprises a letter bearing the signatures of certain right rev. Prelates of the Established Church, apparently interfering with the just prerogative of Her Majesty, as supreme head of the Established Church, and contains also a letter stated to be written in reply by the noble Lord. I beg to ask him whether that correspondence is authentic, and justly and correctly ascribed to the parties in question?

Lord J. RUSSELL: In answer to the hon. Gentleman's question, I have to say, that, excepting an error of no great consequence in one of the paragraphs of my letter, that the copy of the letter written by some of the right rev. the Bishops and of my answer is correct. I did not insert that correspondence in the newspaper, but it is authentic.

THE DEFENCES OF THE COUNTRY.

Lord J. RUSSELL: The hon. Gentleman the Member for Middlesex has given notice of a Motion, for which I believe no day is fixed, with respect to the defences of the country. I shall have shortly after the recess to state, on the part of the Government, both what has been done and what is proposed to be done upon that important matter; and it seems to me that it would be better for the public interest that the subject should come from a Member of the Government, than that it should be brought forward by an independent Member of this House. Of course, if the hon. Member is not satified with my statement, it will be in his power, at any time, to make his Motion; but I have to request of him that he will postpone it till he has heard that statement.

Mr. B. OSBORNE could have no hesitation in complying with the request.

THE BANK AND THE GOVERNMENT.

Mr. PATTISON wished to put a question to the Chancellor of the Exchequer, who had stated, a few days since, that the stipulation in the Government letter to the Bank for a participation in the profit

to be derived from the measure sanctioned by that letter, was very much the suggestion of the Bank authorities. Would the right hon. Gentleman state who were the Bank authorities from whom it emanated?

The CHANCELLOR OF THE EXCHEQUER thought it would be convenient if hon. Members would be kind enough to give previous notice of questions, especially when other persons out of the House were concerned. But he had no objection to answer the question. The Governor and Deputy Governor of the Bank were with him frequently during the period alluded to, and in conversation they and he agreed that it would be better that that condition should be inserted in the letter of the Government to the Bank.

MR. PATTISON had seen them that morning, and understood from them that they were no parties to this stipulation, and it was in consequence of that that he put his question.

CORN AND NAVIGATION LAWS.

In answer to a question by MR. SANDARS,

The CHANCELLOR OF THE EXCHEQUER said, it was not the intention of the Government to propose the further suspension of the Corn and Navigation Laws.

BLOCKADE OF THE RIVER PLATE.

MR. T. BARING begged to ask the noble Lord the Secretary of State for Foreign Affairs a question relative to our commercial relations with Buenos Ayres. The noble Lord would recollect that in the Speech from the Throne, on the 22nd of January, 1846, allusions were made to the difficulties that existed to the commerce of all nations by reason of the warfare that afflicted the States of the Rio de la Plata; and it was said that, in conjunction with the King of the French, this country was endeavouring to effect the pacification of these States. The British blockade had been removed; but the French blockade still continued, and had been the cause of great inconvenience and loss to those who were engaged in carrying on trade with Buenos Ayres. Ships destined to Buenos Ayres were obliged to unload their cargoes at Montevideo, and there pay ship dues amounting to several thousand pounds. In the month of August no less than 50,000*l.* had been levied chiefly on British goods destined to Buenos Ayres, besides paying export dues. What he wished to ask the noble Lord was, whether he were prepared to state to the House, and through the House to the commercial community, the present position of the negotiations with France upon this subject, and whether there was any hope of a speedy removal of the French blockade?

VISCOUNT PALMERSTON: In answer to the question of the hon. Gentleman, I beg to state that Her Majesty's Government is quite aware of the great inconvenience sustained, not only by the commerce of this country, but by many other nations, by the continuance of that state of things which has so long existed in the River Plate. It is a subject which has attracted the anxious attention of Her Majesty's Government. We have been in communication with the Government of France on the subject of the blockade, and I am glad to feel it my duty to state that the Government of France has expressed and manifested the most sincere desire to co-operate with the British Government for the purpose of putting an end to that state of things; and recently it has been my duty to have communication with the Duke de Broglie, and arrangements have been come to between the two Governments to send out instructions to the British and French representatives at Buenos Ayres and Montevideo for the purpose of endeavouring to put an end to the present state of things in that country. I trust that when those instructions arrive in the River Plate, we shall have a fair prospect of seeing those hostilities terminated which have for so long a period impeded commerce in that part of the world. It will be satisfactory to the House to hear that France and England are perfectly agreed as to the course it would be advisable to adopt, should those instructions fail of effect.

SWITZERLAND.

MR. J. O'CONNELL rose to ask the noble Lord the questions of which he had given notice. The first question was whether the noble Lord had received official information of the decrees of the Provisional Governments of the Cantons of Friburg and Lucerne, banishing for ever the Jesuits, the Liguorians, the Brothers of the Christian Doctrine, the Ursuline Nuns, the Sisters of Providence, and other denominations of religion, male and female, under pretence of their being affiliated to the Jesuits; also, confiscating their entire property, and annulling any and every provi-

sion which they might have made of it during nearly two months previous to the surrender of Friburg and Lucerne? The next question he would ask the noble Lord was whether he had also received official information of the enormous demands made upon the cantons of the Sonderbund for the expenses of the war, 1,000,000f. being demanded by the 20th inst., and 2,000,000f. more within a brief space afterwards, besides other charges and exactions? And, finally, he begged to ask the noble Lord—

Mr. SPEAKER here called the hon. Member to order, and informed him, that as the third question he was about to ask was one which involved the expression of an opinion, it was not competent for him to put it.

Mr. J. O'CONNELL said, that with a view to conform to the rules of the House, and that he might be in order, he would move that the House do now adjourn, so that he might have an opportunity of putting the question to the noble Lord. There could be no doubt that the acts of the majority in Switzerland had been of a most tyrannous character. Insults and outrages had been offered to the clergy of the religion of the minority. There had been extreme persecution and plundering of individuals among that minority, whose only crime was to discharge faithfully the duties imposed upon them by their fellow-citizens. The third question, therefore, which he wished to ask the noble Lord was, whether, considering these acts, an urgent case had not arisen for the intervention of the Powers who guaranteed, in 1815, the cantonal independence of Switzerland?

Viscount PALMERSTON: In answer to the first question of the hon. Gentleman, I beg to state, that Her Majesty's Government have received official information of the decrees of the newly-established Government in the canton of Friburg, banishing the Jesuits and certain religious orders supposed to be in connexion with the Jesuits in that canton; but we have not received any official account of any similar decrees as to the canton of Lucerne, or any account of any of the proceedings referred to in the second question of the hon. Member. With respect to the concluding question of the hon. Gentleman, I beg to state that it has not appeared to Her Majesty's Government that in the present state of things in Switzerland there are sufficient grounds for the intervention of the Powers who were parties to the Treaty of Vienna, or that they would be justified in interfering with the internal affairs of Switzerland.

COMMERCIAL DISTRESS—CURRENCY—EXPLANATIONS.

Lord G. BENTINCK wished the Chancellor of the Exchequer to state at what time he intended to propose the nomination of the Committee on Commercial Distress. He hoped his right hon. Friend would not leave the House in uncertainty as to the hour at which the question would be brought forward.

The CHANCELLOR of the EXCHEQUER said, it was not in his power to declare at what hour the Motion would be made. He was anxious that the Committee should be nominated as soon as possible, in order that the Members composing it might agree upon the course they would pursue before the adjournment of the House. He would willingly propose the nomination of the Committee as soon as the Irish Crime and Outrage Bill should be read a third time, if the House would permit him.

Mr. HUME was anxious, before the nomination of the Committee took place, to obtain the decision of the House as to the principles on which banking should hereafter be conducted. As it was intended that the House should adjourn on Monday next, he thought it would be advisable to postpone the appointment of the Chancellor of the Exchequer's Committee until after the House should meet again. There would then be time and opportunity for considering the whole question with greater coolness and calmness than could be looked for under the pressure of recent events, which had excited much alarm in the public mind. He was, unfortunately, unable to attend during the recent discussion; but, as far as he could perceive, the subject of free trade in banking was not enforced by any speaker. The subject was brought before the House by him in 1826 and 1839, and he was prepared to show that the Legislature would be obliged in the end, after all the experiments they had made, to adopt the principles which he then laid down.

The CHANCELLOR of the EXCHEQUER said, the House had already decided that the Committee should be appointed, and therefore the only question which remained undecided respected the Members of the House of whom the Committee should be composed. It was very unusual to interpose with such a Motion as

that of which the hon. Member for Montrose had given notice, on a proposal for nominating a Committee. The resolutions which the hon. Member had put upon the Paper that morning, were calculated to raise a discussion upon almost every debateable question in connexion with banking and the currency. In the first place, the hon. Member's resolutions would call for the opinion of the House relative to a silver standard. ["No, no!"] Well, the resolutions at least declared that the maintenance of the gold standard was essential, and that would call forth the opinions of all Members who entertained a contrary opinion. The resolutions also revived the question of the utility or otherwise of 1*l.* notes; in fact, each of the hon. Member's seven resolutions was calculated to give rise to a debate which would last a week. It was probable that, upon reflection, the hon. Member would see that it would be most inconvenient to propose such a string of resolutions on the question of nominating a Committee; and he did hope and trust that the hon. Member would not persevere in his Motion.

Mr. URQUHART hoped that the indulgence of the House would be extended to him whilst he offered an explanation, which was called for by some remarks that had been applied to him by the right hon. Baronet the Member for Tamworth. It would be in the recollection of the House, that on Friday week the right hon. Baronet complained that he (Mr. Urquhart) had stated, on a previous evening, that the banking system of Scotland had been legislated for without due notice, and the right hon. Baronet at the same time charged him with having suppressed a portion of the words which he had used on making his statement to the House on the 6th of May, 1844. The explanation which he wished to offer to the House was this—that he derived his knowledge of what occurred in the House on the occasion referred to from the *Times*—a newspaper which was generally accurate in its reports of all currency debates; and to the accuracy of which the right hon. Baronet had himself borne testimony. With the permission of the House, he would read from the report in the *Times* the passage to which he referred :—

"Of Ireland and Scotland I have said nothing, for I have thought that the task of dealing with this country was sufficiently extensive, and I do not wish it should be complicated by the arrangements which the condition and necessities of other parts of the United Kingdom might render necessary. Let us, in the first place, establish our system of banking and issue upon sound principles in England, and let us reserve the affairs of Ireland and Scotland as matters of separate consideration. We ought not to permit anything to complicate those interests. They should be dealt with by separate means, and I have, therefore, excluded them from the operation of the present measure. Allow me, in this place, to remind the House that I have not proposed to legalise any new banks of issue, nor to permit the formation of any new joint-stock banks generally for the improvement of the system of joint-stock banking. These regulations, I repeat, are to be confined to England and Wales. I believe that in Scotland the circulation is rather diminishing than increasing; but with that at present we have nothing to do."

Could there be a more formal, distinct, and public declaration that the Scotch system was not to be meddled with? and it is the right hon. Baronet who uttered these words on the 6th May, 1844, who declared the other evening that, on that very occasion, he gave, as Minister of the Crown, a formal, distinct and public notification to Scotland of his intention to interfere with its currency! My knowledge of the subject was, at the time, derived from the report in the *Times;* but the quotation I read in the House, and which had been furnished me by a friend, was not from the *Times*, and certainly there followed immediately on the passage I quoted, another which was a direct contradiction of it. This passage the right hon. Baronet quotes to the House, and on this he founds his charge of wilful suppression against me. Had I seen that passage, I should not have failed to use it. But that contradiction did not appear at the time: it appeared in *Hansard's Debates*, which is not in the hands of the public; and the speech of the right hon. Baronet is particularly marked as a "corrected" version. No doubt the right hon. Baronet had, in his speech of the 6th May, introduced ambiguous phrases; for the *Times*, in its summary, contradicts its report of the debate, and says that the measure was to extend to Scotland and Ireland; however, on the following day, and after due consultation, it wrote as follows :—

"The occasion of the present resolutions is purely English. A periodical opportunity offers for modifying the charter of the Bank of England. Accordingly, the Scottish and Irish banks are to be left wholly untouched."

On the 20th of the same month the debate was resumed, and the present Chancellor of the Exchequer having referred to the Scotch banks as being about to be subjected to the same regulations as the

English banks, the right hon. Member for Tamworth said, "I did not say so." In the same debate, Mr. P. Stewart used these words, as appears by the *Times* report:—

"The right hon. Baronet is entitled to the thanks of the public for not having included Scotland or Ireland in the proposed measure; great prudence was shown in not raising such a hornets' nest around him."

Those words were used in reply to the hon. Baronet the Member for the Tower Hamlets, who had reproached the right hon. Member for Tamworth with not having included the banks of Scotland in his measure. The first direct and intelligible intimation was given on the 4th of July, 1844. In answer to a question from Mr. Patrick Stewart, the right hon. Baronet said that he had no intention to legislate with respect to the Scotch banks; but in the same breath he declared that the Parliament had already legislated with respect to them. Now, he submitted that, looking to what took place in that House, he was justified in stating on a former occasion that the right hon. Baronet had declared it was not his intention to interfere with the Scotch banks, and that the right hon. Baronet was not warranted in alleging that he (Mr. Urquhart) had misrepresented him. The contradiction which one passage from the right hon. Baronet's speeches offered to the statements contained in another, did not legitimately afford to the right hon. Baronet the occasion to allege misrepresentation against those whom he misled.

Sir R. PEEL said, that there could be no doubt as to what the intentions of the Government really were on the occasion referred to; for it was necessary that resolutions should be moved previously to the introduction of the Bill. The resolutions were eight or nine in number; and, although none of them interfered with the existing Scotch banks, one resolution did contain a positive prohibition against the establishment of any new bank of issue in that country. The prohibition, indeed, applied to all parts of the United Kingdom. The resolutions were printed; he was in constant communication with the bankers of Scotland, and he undertook to state that they all distinctly understood that their banking privileges were not to be interfered with by the Legislature of 1844, but that no new bank of issue could be instituted after the passing of the Banking Act of that year. There was no doubt whatever as to the intention of the Government, and the hon. Member's mistake in this matter arose from his confounding his (Sir R. Peel's) declared intention not to interfere with the privileges of the existing Scotch banks with a supposed intention on his part not to propose any legislation whatever with respect to banks in Scotland. The prohibitory resolution, however, applied equally to the whole of the United Kingdom, and it was so distinctly understood at the time.

CRIME AND OUTRAGE (IRELAND).

Sir G. GREY moved the Order of the Day for the Third Reading of the Crime and Outrage (Ireland) Bill.

Mr. JOHN O'CONNELL said, that he would not detain the House many minutes; but he found it his duty to correct an error into which many persons had fallen. The House was extremely ready to listen to anything which reflected upon the character of the Catholic clergy. He would read a letter which had been published in some of the papers, from the parish priest of Strokestown, denying in the most emphatic manner the charge which had been laid against him of having instigated to the murder of Major Mahon. The hon. Gentleman then read the following:—

"TO THE EDITOR OF THE EVENING FREEMAN.

"Strokestown, December, 1847.

"If, as is gratuitously asserted, any Catholic clergyman has denounced any one of those obnoxious landlords from his altar previous to the fatal event in which he has fallen a victim to the wild justice of revenge, the legal process of rendering that clergyman amenable to the law, and responsible for his seditious preaching, is neither expensive nor difficult. May I ask why such steps are not taken by the afflicted relatives, or by the inheritor of the property? Oh! the informer will not come forward; his courage oozes through his fingers. He skulks into his lurking hole, and laughs at the credulity of those who employed him after he received the reward of his turpitude. There may be found in a Catholic congregation some hireling serf whose embarrassment tempts him to court the patronage of his landlord, and to offer his services as an officious whisperer, for the purpose of drawing a little grist to his mill. But why, I ask again, does not some such character come forward to substantiate the odious charge against the priests? No, he stands back, because he knows his perfidy would be detected, and that he should then be held up to public scorn as a liar and calumniator. I have now to assure the public, by the most solemn asseverations a clergyman can utter, that the late Major Mahon was never denounced, nor even his name mentioned, from any chapel altar in Strokestown, or within twenty miles of Strokestown, in any direction, on any Sunday before his death. I can, under the same sacred pledge, declare that a single sentence was never spoken from the altar, which, by mis-

construction or otherwise, could tend to stimulate the peasantry to the atrocious murder which has been perpetrated. The cruelties exercised against a tenantry whose feelings were already wound up to woful and vengeful exasperation by the loss of their exiled relatives, as well as by hunger and pestilence, which swept so many victims into an untimely grave — in my opinion, may be assigned as the sole exciting cause of the disastrous event which has occurred. I saw no necessity for the idle display of a large force of military and police surrounding the poor man's cabin, setting fire to the roof, while the half-starved, half-naked children were hastening away from the flames with yells of despair, while the mother lay prostrate on the threshold writhing in agony, and the heart-broken father remained supplicating on his knees. I saw no need for this demonstration of physical force; nor did I see any need for brutal triumph and exultation when returning after these feats were nobly performed. Nor can I conceive that the feelings of humanity should permit any man to send his bailiffs to revisit those scenes of horror and conflagration, with an order, if they found a hut built or a fire lighted in the murky ruins, to demolish the one and extinguish the other, thus leaving the wretched outcasts no alternative but to perish in a ditch. In my opinion, these scenes, of which I can only draw a very inefficient portrait, had more to do with the murder of Major Mahon than all the thundering denunciations of the Vatican could effect, had they been rolled on his head. I tell, therefore, the Orange press, that their fabricated charge of denunciation against the Catholic clergy is a monstrous, outrageous, and flagitious calumny. It is not true that the exterminated tenants of the late Major Mahon have been all sent to America. There are hundreds as yet who survived their expulsion, after seeing their crops carried away from their doors and safely deposited within the landlord's haggard, left to subsist on the precarious alms of their neighbours, roving about as houseless wanderers, without a friend to console, or a resting-place whereon to lay their aching bones.—I am, Sir, your obedient and much obliged,

"Michael M'Dermott, P.P., Strokestown."

The House ought to remember that the state of parties was such in Ireland, that partisans would make statements that they would not attempt to substantiate. A similar charge had been made against the Rev. Mr. Hughes, P.P. of Sligo. What would the House say, when he could assure them them that the words attributed to that rev. gentleman had never been uttered? The statement had been made in a Castlebar paper, whose interest it was to cast every slander upon the Roman Catholic clergy. Some reflections had been cast upon himself, to which he was not going to give a formal answer. Some Members had not the fairness to recollect that, on the first night of the discussion on the Coercion Bill, he had refused to pledge himself not to give opposition to that measure. He allowed the Bill to be read a first time, under an idea of its mildness, of which when he came to read it he was disabused, and under the impression by his so doing that he would be establishing some claim upon the Government to introduce some remedial measures, to pass *pari passu* with the Coercion Bill; and by repeated questions he took care to bring out the fact distinctly that the Government did not intend to introduce these measures. He was quite willing to have given the Government any constitutional assistance in the repression of crime. He had not objected to give protection to life. The Irish Members had declared their willingness to assent to an increase in the police force, in order to support the ordinary law, which they thought quite sufficient to meet the emergency of the case. The Ministers had, however, now got their Coercion Bill. They had got that measure which they declared to be necessary for the prevention of crime in Ireland; they had got it by large majorities; and all he now asked of them was to turn their attention to modes for the relief of the people. The state of Ireland would not brook delay. They would rue it if they delayed. Delay would only augment the difficulty. If they brought forward remedial measures, they would have the unanimous support of all the Irish Members. He would wish to impress upon them, that they would rely upon a broken reed if they depended upon the poor-law to save the people of Ireland, whose condition was becoming more aggravating every succeeding day. Human life was being wasted by tens and twenties a day, by hundreds in the week. It was necessary that something should be done. He did implore them to employ the recess in preparing measures, which they should press on the meeting of Parliament with as much alacrity as they had pressed the measure of coercion. He implored them to give relief during the recess. They had stated that they had depôts of food; he considered that they should administer relief from them; agitation would not stand in their way. The only way to strike down utterly those who possessed influence in Ireland, was by dealing justly towards the people, by administering measures for relief in an honest, resolute spirit, and not shrinking from a redress of their grievances. Then they would solve the problem of the peaceful and prosperous government of Ireland. He moved that the Bill be read a third time that day three months.

Mr. W. S. O'BRIEN felt bound, even

at that late stage of the Bill, to offer it his utmost opposition. He believed that a great portion of the recent outrages in Ireland might be truly attributed to the denunciations of the Irish landlords in that House in the previous Session. But the English Members who had joined in that outcry now found that their policy was a failure. Even the hon. Baronet the Member for Marylebone (Sir B. Hall) did not seem to obtain popularity now-a-days by abusing the Irish landlords. He had now changed his tone, by charging the priests of Ireland, without any proof, of being the agitators of crime in Ireland. The most exaggerated and cruel charges had been brought, without evidence to support them, against the clergy of Ireland, a body of men whose noble conduct during the last year might at all events have secured them against these charges. He was glad that his hon. Friend the Member for the city of Limerick (Mr. Monsell) did not allow the charges which had been brought against Dr. Ryan, the Roman Catholic Bishop of Limerick, by the hon. Member for Bridport, to pass unanswered. He himself knew no clergyman whose character was more estimable than that of the prelate in question—and he felt convinced that had Ireland been deprived of the services of the Roman Catholic clergy during her recent calamities, she would have been in a state of insurrection. If that House wished to make the people of Ireland hate British connexion more than they now did, he was sure that they could not pursue a more effectual course than that which they had pursued since the opening of the Session, viz., abusing and calumniating the Roman Catholic clergy, and thus alienating the hearts of the Irish people from English legislation. He might probably be asked what measures, in his opinion, ought to be brought forward to give peace and prosperity to Ireland? In reply he would say, in the first place, that they should endeavour to provide employment for the people. It was utterly impossible that any country could be peaceable so long as there was an enormous mass of the population suffering the greatest privations, which arose from the want of employment. It was impossible to exaggerate the sufferings which the people of Ireland were at present undergoing for want of employment. It was the bounden duty of the Government to take measures without delay for providing employment for them. He knew that when a proposition of that kind was made by the Irish Members, they were met with some such observation as he heard fall from an English Member last Session, "Oh, you're howling again for English gold!" But he contended that it was the duty of that House, so long as they professed to rule the destinies of Ireland, to see to it that her resources were developed, in order that her population might be employed. Let them do that, and, in the time of famine, Ireland would not have to come to this country in the character of a suppliant for relief. Another great means of putting an end to crime and outrage in Ireland was, by immediately settling that long-neglected question of the relation of landlord and tenant. Any one who had looked at the character of the recent outrages in Ireland must know that they were attributable to the disturbed relations between the landlord and his tenants. Indeed, they need never hope to see peace in Ireland until the tenant-right was sanctioned by the Legislature. There was not a man in Ireland who did not at once admit that the present mode of ejecting tenants without compensation for improvements was a grievous injustice. So long back as 1843, a report had been presented to that House, by a Commission whom they had appointed, setting forth the evils of Ireland, and pointing out the remedies; and yet, as Earl Grey had said in his place in the House of Lords in 1846, not a step had been taken to carry into effect the suggestions of that Commission, although, as regarded that great question of the relation of landlord and tenant, the Commission said that not a day, not an hour, should be lost before it was settled. The House now, for the first time, was told that the Government had a Bill on that question under consideration; but the probability was, that, like the Encumbered Estates Bill of last Session, it would be brought forward at an advanced period of the Session, and repeatedly postponed, and finally withdrawn at the close of the Session, because it had been found to be unsatisfactory to both landlords and tenants. Although a comprehensive measure of that nature was the only guarantee for the peace of Ireland, and this Coercion Bill was only a guarantee for increased outrage, yet the Government persisted in pushing it through the House, without giving the slightest intimation of the nature of the Landlord and Tenant Bill, which they professed to have under consideration. A measure should at once be introduced to improve the system of drain-

age of land in Ireland. The evils resulting from the absence of such a measure had been fully detailed to them a few nights ago, by the hon. Member for Kinsale. In the next place, it was necessary, for the preservation of order throughout Ireland, that a comprehensive measure for facilitating the sale of encumbered estates should be at once brought forward. The want of such a measure was keeping a large portion of the Irish people unemployed, and they were consequently perishing by starvation. With regard to the recent outrages in Ireland, he believed that there was no class that suffered more than the middle-class-men, who were at all times subjected to the attacks of bands of lawless vagabonds. He believed that an effectual mode of putting an end to that reign of terror which those outlaws maintained, would be by instituting some species of rural guard amongst the small farmers, for the purposes of self-defence and the preservation of order. With respect to that portion of this Bill which related to the possession of firearms, he thought the complaints of the Irish Members were not unreasonable. He, with them, believed that the placing of the licensing right in the hands of a few of the police and military in Ireland, was most objectionable and unjust. The right hon. Baronet the Member for Tamworth had said, he would not parley with the assassin. And so said he. He wanted not popularity amongst assassins. He would give his support to any measure calculated to dash the weapon from the hand of the assassin; he would give his support to any measure which would pursue the assassin through the land; but it was because he believed that this measure was utterly futile—because he believed that while it impugned all the principles of constitutional liberty, it, at the same time, gave no security whatever against the perpetration of crime—it was on those grounds that he gave all the opposition which he could give to this measure.

Mr. ROBINSON rose to correct a statement which had fallen from the hon. Member for Nottingham (Mr. O'Connor) the other night, with reference to the number of distresses which had been issued at the instance of the National Bank of Ireland. The hon. Member had represented the number to have been 800; now the real number was only fifty-nine, and he did not think that that was by any means a large number, considering the state of affairs in Ireland.

Mr. MORGAN J. O'CONNELL asked for the indulgence of the House for a very few moments, as he felt himself bound, in justice to his own feelings, and to his position as an Irish Member, not to give a silent vote on this occasion. It was true that he voted the other night for an adjournment of the debate on a preliminary question in connexion with this Bill; but his reason for so doing was, not that a factious opposition might prevail against the measure, but that the Irish Members might have a full opportunity of making their statements before the measure was passed into a law. By voting for the Amendment the other night on this Bill, he by no means wished to give the go-by to the measure, nor had he shrunk from being present on this occasion, and he would briefly state the reasons why he differed with many of his friends in giving, as he conceived it to be his duty to give, his support to the third reading of this Bill. As to the charge of inconsistency on this question, he was not at all afraid to meet it. He had not shrunk on former occasions when the Arms Bill was before the House; but when they charged him with inconsistency for giving his support to this Bill, he thought his friends went too far. The right hon. Baronet the Member for Tamworth had not failed to bring such a charge against the Irish Members who supported this Bill, and had opposed this measure in 1846. But it should be borne in mind that this Bill was not the Bill of 1846. If it had been, he should have felt it his duty to oppose it, no matter how numerous were the murders committed in Ireland. The Bill of 1846 contained two faults: one was that old, exploded system of Insurrection Acts, which had been tried and found wanting; it proposed in the most blundering fashion to prevent noonday assassination by shutting the people up at night. He really believed that this was such a measure as the hon. Member for Limerick city had himself said he was willing to support. He (Mr. M. J. O'Connell) believed this was a moderate Bill. He believed it to be a Bill which would do what the hon. Member expressed himself ready to do, namely, limit the use of firearms to such districts as were not extremely disturbed. In that respect, therefore, it did not violate the common law, which only sanctioned the use of firearms as long as they were used for the porposes of self-defence, but no longer; and the Bill took away the

right of licensing from magistrates, judges, and juries, at quarter-sessions. That was another reason why he gave the Bill his support. With regard to that part of the Bill which proposed to give extraordinary powers to the Executive in Ireland, which were beyond the limits of the ordinary or constitutional law, he wished his hon. Friends to recollect that such powers had been granted to the Executive in England when the condition of the country required it. He believed that this was the first occasion on which a Bill for Ireland had been fashioned after an English precedent. He hailed the change with some joy, and he hoped that precedent would be followed up. Now, it was said that the powers to be given under this Bill had better be entrusted to the local magistracy than to a central authority like that of the Lord Lieutenant. In that opinion he could not concur. He did not wish to say anything disrespectful of Ireland; but, upon general principles, he thought it was desirable that, in giving unconstitutional operations, they should not give them to constitutional authorities. He believed it was much better to limit the jurisdiction of the magistracy to the exercise of their ordinary duties. He hoped that the magistrates of Ireland would not consider themselves insulted by the passing of this Bill. Duties were entrusted to them upon the performance of which the peace of the country depended. If they joined in the carrying out of this Bill, and worked it not rigorously but firmly, he believed that they would succeed in a great degree in restoring peace to Ireland. He hoped that the grievous evils of Ireland would be diminished by the future legislation of that House; but it was their first duty to put an end to a system of outrage which was bringing disgrace upon the well-disposed portions of Ireland. If it should be found that the juries of the disturbed districts did not co-operate with the Legislature in their attempts to punish the assassin, he, without any fear of being charged with inconsistency, would be quite prepared to support the Government in a more stringent measure than the present. One word more. It was said by some that this Bill would not answer the end for which it was introduced. He knew it did seem somewhat weak to many hon. Gentlemen; but he begged leave to remind them that, if strong repressive measures alone were what a Legislature ought to adopt to restore peace to a country, then Ireland ought to be a model of tranquillity to the world. But the result of former coercive laws was increased tumult. He hoped that a better spirit was springing up in the Legislature with regard to the mode in which Ireland should be governed. In giving his support to this measure, he wished to add one word of warning to the Government. When they had passed this Bill, and restored, as he hoped, some sort of tranquillity to a disturbed country, they should recollect that their duties were, in point of fact, only begun. He admitted that this or some similar measure was necessary; but he felt that it was the duty of the Government, after they had, by an unusual but wise course of treatment, restored some sort of ease to their delirious patient, to treat Ireland in such a manner as her condition required. Let them enable the people of Ireland to develop the resources of their country. If they failed to do so, they might depend upon it that, although they might succeed by this measure in making outrage hide its head for a time, yet, so sure as the morning sun followed the darkness of night would outrage again desolate the country.

MR. BRIGHT: I feel very much in the position of the hon. Member who has just addressed the House, for I am in some degree compelled to speak before this Bill is read a third time. I have presented a petition against the Bill, signed by more than 20,000 persons, inhabitants of the borough of Manchester, and I am unwilling to vote without briefly giving the reasons which make it impossible for me to oppose this Bill. When I recollect the circumstances attending the rejection of the Bill of 1846, for the protection of life in Ireland, I am convinced that the Government would not have brought forward the present measure if it had not appeared to them absolutely necessary, and that, but for this supposed necessity, it would never have been heard of. The case of the Government, so far as the necessity for this Bill is concerned, seems to me to be as clear and as perfect as it can be. From the speech of the right hon. Gentleman the Secretary of the Home Department, from the unanimous statements of all the newspapers, and from the evidence of all parties connected with Ireland, it is placed beyond a doubt, that in the disturbed districts of Ireland the ordinary law is utterly powerless. The reason why the law is carried into effect in England is, because the feeling of the people is in favour of it,

and every man is willing to become and is in reality a peace officer, in order to further the ends of justice. But in Ireland this state of things does not exist. The public sentiment in certain districts is depraved and thoroughly vitiated. [Mr. J. O'Connel! No!] The hon. Member cries "No, no;" but I maintain that in the disturbed districts the public or popular feeling is as I have described it. I don't mean to assert that all that the newspapers contain is true, or that they contain all the truth; but I ask the hon. Gentleman if he has not read accounts which are not contradicted, from which we learn that on the occurrence of some recent cases of assassination, whole districts have been in a state of rejoicing and exultation? These assassinations are not looked upon as murders, but rather as executions. Take the case of Mr. Lloyd, a clergyman, who was recently assassinated. There was no show of vindictive feeling on the part of his murderers; there was little of the character of ordinary murders in it. The servant was allowed to depart unharmed; a boy, who was in the carriage, was removed that he might not be injured; and the unhappy gentleman was shot with all the deliberation and the calmness with which a man would be made to suffer the extreme penalty of the law. It is clear, then, that the ordinary law fails, and that the Government have a case for the demand they make for an extension of the present powers of the law. I don't say the present Bill will certainly be effective, but it is the less to be opposed because that it does not greatly exceed or infringe the ordinary law; and it is the duty of the Legislature, when called upon to strengthen the Executive, to do so by the smallest possible infringement of the law and the constitution. But to leave the particular measure now before us, I am bound to say that the case of the Government with respect to their Irish policy in general is not so good as could be wished. The Government has not shown the courage which is necessary to deal effectually with the difficulties of Ireland. They should remember what passed when the poor-law was proposed for that country. They were told it would be a failure—that it could not be worked; but disregarding these statements, they passed the Bill; and I believe, since the Act of 1829, no measure has passed this House of equal benefit to Ireland. The noble Lord at the head of the Government has said that all parties are to be blamed for the misgovernment of Ireland; but the noble Lord should remember the responsibility which is upon him, for he is now in the position of dictator on Irish questions, and whatever he proposes for that country, I verily believe, will find no successful opposition in this House. There is another fact to which I would call attention. The Irish Members complain, and very justly, of the past legislation of this House; but when we call to mind that there are 105 of them here, of whom 60 or 70 are of liberal politics or opinions, and that about 30 of them are repealers, and hold very strong views with regard to the mismanagement of Irish affairs in the Imperial Parliament, I think we have a right to complain that they have not laid on the table of the House any one measure which they believe to be necessary to the prosperity of their country. I have been in this House more than four years, and I have never yet seen the Irish Members bringing forward any proposition of a practical character—nor am I aware that they have supported any measure they deemed necessary for Ireland, with unanimity and earnestness, or with anything like perseverance and resolution. I am sure, that 105, or even 30 English Members, sitting in a Parliament in Dublin, and believing their country had suffered from the effects of bad legislation, would, by their knowledge of the case, their business habits, activity, union, and perseverance, have showed a powerful front, and, uniting together, and working manfully in favour of any proposition they might think necessary to remedy the evils of which they complained, would have forced it on the attention of the House. But the Irish Members have not done this. So far, then, they are and have been as much to blame as any other Member of this House for the absence of good government in Ireland. I will not, like them, complain of bad legislation, and propose no remedy. What is the condition of Ireland? Last year we voted millions to keep its population from starvation; and this year we have been asked for a further sum, but have not granted it. We maintain a large army in Ireland, and an armed police, which is an army in everything but in name, and yet we have in that country a condition of things not to be matched in any other civilised country on the face of the earth, and which is alike disgraceful to Ireland and to us. The great cause of Ireland's calamities is, that Ireland is idle. I be-

lieve it would be found, on inquiry, that the population of Ireland, as compared with that of England, do not work more than two days per week. Wherever a people are not industrious and are not employed, there is the greatest danger of crime and outrage. Ireland is idle, and therefore she starves; Ireland starves, and therefore she rebels. We must choose between industry and anarchy: we must have one or the other in Ireland. This proposition I believe to be incontrovertible, and I defy the House to give peace and prosperity to that country until they set agoing her industry, create and diffuse capital, and thus establish those gradations of rank and condition by which the whole social fabric can alone be held together. But the idleness of the people of Ireland is not wholly their fault. It is for the most part a forced idleness, for it is notorious that when the Irish come to England or remove to the United States or the Colonies, they are about the hardest working people in the world. We employ them down in Lancashire, and with the prospect of good pay they work about as well, and are as trustworthy, and quiet, and well-disposed to the law as the people of this country. The great secret of their idleness at home is, that there is little or no trade in Ireland; there are few flourishing towns to which the increasing population can resort for employment, so that there is a vast mass of people living on the land; and the land itself is not half so useful for their employment and sustentation as it might be. A great proportion of her skill, her strength, her sinews, and her labour, is useless to Ireland for the support of her population. Every year they have a large emigration, because there are a great number of persons with just enough of means to transport themselves to other countries, who, finding it impossible to live at home in comfort, carry themselves and their capital out of Ireland; so that, year after year, she loses a large portion of those between the very poorest and the more wealthy classes of society, and with them many of the opportunities for the employment of labour. I do not believe that the Bill for regulating the relations of landlord and tenant, as recommended by the hon. Member for the county of Limerick, will restore prosperity to Ireland. Such a measure may be passed with great advantage; but if it be intended by a Bill with this title to vest the ownership of the land in the present occupiers, I believe this House will never pass it, and if it did, it would prove most fatal to the best interests of the country. I think we have a right to blame the Government that as yet we have not seen the Bill for the sale of encumbered estates in Ireland. I wish to ask why such a Bill is not ready before this? [Lord John Russell: The Bill has been ready a long time.] The noble Lord says the Bill has been ready long ago; but that statement only makes the Government open to greater blame, for if the Bill were ready, why has it not been brought forward before this? Last Session the Bill was withdrawn, and the reason given was that landlords and mortgagees did not like it. If the Government wait till the landlords and mortgagees like it, it will never be brought forward at all. Had they waited till the Irish landlords asked for the poor-law, there would have been no poor-law in Ireland now. The Government should disregard the opposition of these parties, and should take their stand above all class interests. They must refuse to listen to the interested suggestions of one class or the other, and they must remember that they are the Executive Government of the country, and bound to act for the public good. There is an unanimous admission now that the misfortunes of Ireland are connected with the question of the management of the land. I have a theory that, in England as well as in Ireland, the proprietors of the soil are chiefly responsible for whatever of bad legislation has been inflicted upon us. The ownership of land confers more political power than the possession of any other description of property. The Irish landowners have been willing parties to the past legislation for Ireland, and they have also had the administration and execution of the laws in that country. The encumbered condition of landed property in Ireland is the question most pressing at this moment. I am informed by a gentleman in Dublin, of the best means of information and of undoubted veracity, that in the province of Connaught there is not five per cent of the land free from settlements of one kind or other, and that probably not one per cent is free from mortgages. I have asked Irish Members of all parties if this be true, and not one of them is disposed to deny it; and if it be true, I say it is idle to seek elsewhere for the source of the evils of Ireland; and every day, nay, every hour we allow to go by without taking instant measures to remedy this crying mis-

chief, only adds to the criminality which rests on us for our past legislation. Patchwork legislation will not now succeed; speeches from the Lord Lieutenant—articles in the newspapers, or lending to the landowners at $3\frac{1}{2}$ per cent money raised by taxation from the traders of England, who have recently been paying 8 per cent—all will fail to revive the industry of Ireland. I will now state what, in my opinion, is the remedy, and I beg to ask the attention of the Government to it, because, though now they may think it an extreme one, I am convinced the time will come when they will be compelled to adopt it. In the first place, it is their duty to bring in a Sale of Estates Bill, and make it easy for landowners who wish to dispose of their estates to do so. They should bring in a Bill to simplify the titles to land in Ireland. I understand that now it is almost impossible to transfer an estate, the difficulties in the way of a clear title being almost insurmountable. In the next place, they should diminish temporarily, if not permanently, all stamp duties which hinder the transfer of landed property, and they should pass a law by which the system of entailing estates should for the future be prevented. [*Laughter.*] I can assure hon. Gentlemen who laugh at this, that at some not distant day this must be done, and not in Ireland only, but in England also. It is an absurd and monstrous system, for it binds, as it were, the living under the power of the dead. The principle on which the law should proceed is this, that the owner of property should leave it to whomsoever he will, provided the individual is living when the will is made; but he should not be suffered, after he is dead, and buried, and forgotten, to speak, and still to direct the channel through which the estate should pass. I shall be told that the law of entail in Ireland is the same as in England, and that in Scotland it is even more strict. I admit it; but the evil is great in England, and in Scotland it has become intolerable, and must soon be relaxed if not abolished. Perhaps I shall be told that the laws of entail and primogeniture are necessary for the maintenance of our aristocratic institutions; but if the evils of Ireland spring from this source, I say, perish your aristocratic institutions rather than that a whole nation should be in this terrible condition. If your aristocratic families would rear up their children in habits of business, and with some notions of duty and prudence, these mischievous arrangements would not be required, and they would retain in their possession estates at least as large as is compatible with the interests of the rest of the community. If the laws of entail and primogeniture are sound and just, why not apply them to personal property as well as to freehold? Imagine them in force in the middle classes of the community, and it will be seen at once that the unnatural system, if universal, would produce confusion; and confusion would necessitate its total abolition. I am thoroughly convinced that everything the Government or Parliament can do for Ireland will be unavailing, unless the foundation of the work be laid well and deep, by clearing away the fetters under which land is now held, so that it may become the possession of real owners, and be made instrumental to the employment and sustentation of the people. Hon. Gentlemen opposite may fancy themselves interested in maintaining the present system; but there is surely no interest they can have in it which they will weigh against the safety and prosperity of Ireland? I speak as a representative coming from a county which suffers extremely from the condition of Ireland. Lancashire is periodically overrun by the pauperism of Ireland, and for a year past it has suffered most seriously from the pestilence imported from Ireland; and many of the evils which in times past have been attributed to the extension of manufactures in that county have arisen from the enormous immigration of a suffering and pauperised people driven for sustenance from their own country. As a Lancashire representative, I protest most solemnly against a system which drives the Irish population to seek work and wages in this country and in other countries, when both might be afforded them at home. Parliament is bound to remedy this state of things. The present Parliament contains a larger number of men of business and Members representing the middle classes than any former Parliament. The present Government is essentially of the middle class—[*A laugh*]—and its Members have on many occasions shown their sympathy with it. Let the hon. Gentleman laugh; but he will not deny that no Government can long have a majority in this House which does not sympathise with the great middle class of this country. If the Government will manfully and courageously grapple with the question of the condition of land in Ireland, they will, I am convinced, be sup-

ported by a majority of the Members of this House, and they will enable the strength and skill of Irishmen to be expended on their own soil, and lay the foundation of her certain prosperity by giving that stimulus and reward to industry which it cannot have in the present circumstances of that country. Sir, I feel it impossible to refuse my vote in favour of the Bill now before us; but I am compelled to say that unless the Government will zealously promote measures in the direction I have indicated, they cannot hope long to retain the confidence of this House or of the country.

Mr. HUME wished to know, as the noble Lord had stated that a very important Bill relating to Ireland had been actually prepared, why it could not be introduced before the recess?

Lord J. RUSSELL replied, that last year a Bill on the same subject had been introduced in the House of Lords; that the same course would be adopted this year; and that the time of that House would be sufficiently occupied prior to the recess with the discussion upon the present Bill.

Sir B. HALL said, no one was more anxious than he that this Bill should become law; but this was the last opportunity of addressing the House upon the subject. The hon. Member then proceeded, amidst signs of impatience which rendered his remarks nearly inaudible, to contend that it was obvious, from the letter read the other night by the hon. Member for Montrose, that the hon. Member for Limerick had intended orginally, not only not to oppose, but to give his cordial support to the Bill now before the House; and he (Sir B. Hall) read an extract to show that the Council of National Safety and Distress intended also to support it. He was most anxious to state, in reference to a letter recently read by an hon. and learned Member in reference to the murder of Mr. Roe, that he had received a letter from the brother of Mr. Roe, in which he said that the letter read by the hon. and learned Member for Limerick, in palliation of the murder, dated the 17th of October, was contradicted three days afterwards by the brother of Mr. Roe in almost all the papers published in Ireland; and that he, Mr. Roe's brother, had reason to believe that that contradiction was known to the hon. and learned Gentleman. The writer of the letter read by the hon. and learned Member for Limerick was an out agent to attorneys, a discharged steward on the public works, and the brother of the man charged with the murder of Mr. Roe.

The House divided on the question that the word "now" stand part of the question:—Ayes 173; Noes 14: Majority 159.

List of the Ayes.

Adair, R. A. S.
Aglionby, H. A.
Alcock, T.
Anson, hon. Col.
Archdall, Capt. M.
Baines, M. T.
Baldwin, C. B.
Barnard, E. G.
Bellew, R. M.
Bentinck, Lord G.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Blake, M. J.
Bourke, R. S.
Bremridge, R.
Bright, J.
Brisco, M.
Brockman, E. B.
Brooke, Sir A. B.
Brotherton, J.
Brown, H.
Busfeild, W.
Buxton, Sir E. N.
Carter, J. B.
Caulfield, J. M.
Cayley, E. S.
Charteris, hon. F.
Clay, J.
Clements, hon. C. S.
Corry, rt. hon. H. L.
Courtenay, Lord
Damer, hon. Col.
Deering, J.
Drummond, H.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Edwards, H.
Elliott, hon. J. E.
Evans, J.
Evans, W.
Ewart, W.
Ffolliott, J.
Fitzpatrick, J. W.
Fordyce, A. D.
Forster, M.
Fox, W. J.
Freestun, Col.
French, F.
Frewen, C. H.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Gower, hon. F. L.
Grace, O. D. J.
Granger, T. C.
Grattan, H.
Greene, T.
Gregson, S.
Grey, rt. hon. Sir G.
Grogan, E.
Haggitt, F. R.
Hall, Sir B.
Hamilton, G. A.
Hardcastle, J. A.
Hastie, A.
Hayter, W. G.
Henley, J. W.
Herbert, H. A.
Herries, rt. hon. J. C.
Hood, Sir A.
Hotham, Lord
Howard, hon. C. W. G.
Hume, J.
Humphery, Ald.
Jervis, Sir J.
Jervis, J.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
Labouchere, rt. hn. H.
Langston, J. H.
Lascelles, hon. W. S.
Lewis, rt. hn. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lockhart, A. E.
Lockhart, W.
Macnamara, Maj.
M'Naghten, Sir E.
Mahon, The O'Gorman
Maitland, T.
Marshall, W.
Masterman, J.
Matheson, Col.
Melgund, Visct.
Monsell, W.
Moody, C. A.
Moore, G. H.
Morgan, O.
Morpeth, Visct.
Morison, Gen.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Muntz, G. F.
Newport, Visct.
Nugent, Lord
Nugent, Sir P.
O'Brien, Sir L.
O'Connell, M. J.
Osborne, R.
Ossulston, Lord
Oswald, A.
Palmer, R.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pilkington, J.
Plowden, W. H. C.
Raphael, A.
Rawdon, Col.

Ricardo, O.
Richards, R.
Robinson, G. R.
Romilly, J.
Russell, Lord J.
Russell, F. C. H.
Sadleir, J.
Salwey, Col.
Sandars, G.
Scrope, G. P.
Seeley, C.
Seymer, H. K.
Sidney, T.
Smith, J. B.
Smollett, A.
Somerton, Visct.
Somerville, rt. hn. SirW.
Stafford, A.
Stanley, E.
Staunton, Sir G. T.
Strutt, rt. hon. E.
Stuart, Lord D.
Sutton, J. H. M.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Turner, E.
Verner, Sir W.
Verney, Sir H.
Villiers, hon. C.
Vivian, J. H.
Waddington, H. S.
Walmsley, Sir J.
Watkins, Col. L.
Wawn, J. T.
West, F. R.
Willcox, B. M.
Williams, J.
Willoughby, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wyld, J.
Yorke, hon. G. R.
Young, J.

TELLERS.

Tufnell, H.
Craig, W. G.

List of the NOES.

Anstey, T. C.
Callaghan, D.
Devereux, J. T.
Fagan, W.
Fagan, J.
Fox, R. M.
Greene, J.
Meagher, T.
Morgan, H. K. G.
O'Connell, M.
O'Connor, F.
O'Flaherty, A.
Reynolds, J.
Scully, F.

TELLERS.

O'Connell, J.
O'Brien, W. S.

Bill read a third time and passed.

RAILWAYS BILL.

The CHANCELLOR OF THE EXCHEQUER moved that the Report on the Railways Bill be received.

MR. STAFFORD said, it was not his intention to offer any opposition to this Bill; but before proceeding to the reception of the report—before proceeding to discuss the question of the adjudication on the claims of those who had been more or less injured by past railway legislation—before taking into consideration the claims of those who, forming of themselves a majority of the representatives in that House, were likely to assert those claims and to receive that attention which they merited, and perhaps rather more than they merited—it would not be amiss in them to consider the claims of those who had been most shamefully, he feared dangerously, neglected by the whole course of their railway legislation, and whom they were now about to dismiss at this period of the year without any consideration; and he was afraid, but for his advocacy, without a single word. When those who came after them looked at the gigantic schemes they had undertaken, and the gigantic works they had performed, they would naturally ask what, in an age professing popular feeling, and espousing, in theory at least, and loudly declaring the interests of the labouring classes—what had been their conduct in reference to them?—how they, having won from the labours of these parties their mighty wealth, had attended to their welfare?—how they had judged it expedient to promote their temporal and eternal welfare? They would naturally ask whether, in reference to medical cure, to their residences, to the instruction for the young, and the religious ministration for all, they had, in legislating for railways, borne the character which they had assumed to themselves of philanthrophic legislators and Christian men? In considering the hundreds and thousands of labourers whose interests were affected by railways—in considering the millions of money which had been embarked in these speculations, he had only been able to discover, among all the Acts of Parliament which had been passed on the subject, one solitary Act in reference to the labourer. He would read the preamble of that Act, to let the House see how far they had gone towards promoting the welfare and comfort of these men. The 1st and 2nd Victoria, to which he referred, recited—

"That whereas great mischiefs have arisen by the outrageous and unlawful behaviour of labourers and others employed on railroads, canals, and other public works, by reason whereof the appointment of special constables is often necessary for keeping the peace, and for the protection of the inhabitants, and the security of the property in the neighbourhood of such public works, whereby great expenses have been cast upon the public rates of counties and the districts chargeable with such expenses, directors and shareholders shall bear the expense," &c.

Of all the Acts which had been passed on the subject of railways, this was the only one relating to labourers themselves. In proceeding to show the House, as he felt it his duty to do, what had been the result of the negligence on the part of the Legislature—the evils which had been suffered, the crimes which had been permitted, and the risks which the labourer had run in consequence of their negligence—he must remind the House, that the case for which he was about to claim their attention was not the case of the old and decrepid, the sick and the infirm; but the case of those who were strong and healthy, and who were likely very soon to avenge upon society the injuries they had received at their

hands. The House must be aware that, in dealing with this large body of labourers, they were dealing with a new nation—a nation because of their numbers and their power—and a new nation, because whatever difficulties the House might have in interfering with vested interests, there were no difficulties of that kind when they were at the commencement of a new system, and giving laws to a new state of society; so that, whether as regarded the question of residences, or the question of comfort, or the question of health, or the question of morals, he maintained that their responsibility in reference to those things was far greater than it would have been if they had to deal with existing usages and established rights. He would now take the liberty of quoting a few extracts in support of what he had to advance, from the important evidence given before the Committee appointed on the Motion of the hon. Member for Kilmarnock (Mr. Bouverie), so early as July, 1846. He would not detain the House at any length, because he felt convinced that those who had the interest of that class at heart were fully aware of the danger impending over society by the course of conduct the Legislature had pursued and were pursuing towards them, and required only to have their attention directed to that report, and because he should consider it his duty to embody the suggestions of that report in a series of resolutions, and submit them to the consideration of the House soon after the recess. On the question of residences, the Rev. J. R. Thompson was asked:—

"'Are the huts at all equal to the class of houses which are generally occupied by the labouring population?' He answered, 'I never saw anything to be compared to them.' 'Will you describe them to the Committee?' he was asked. He said, 'I can only describe them as being built against a hedge or bank, the rafters sloping from this bank, and the sides and ends of turf. In some cases, I believe, they are just boarded inside, in some cases they are not; in some cases there is no partition; man, woman, and child all sleep exposed to one another. Sometimes a sort of temporary curtain may be thrown across, which divides the sleeping apartment from what they call the kitchen, where the fireplace is.'"

Mr. Rawlinson was asked—

"'What is the effect upon the habits and characters of the men, where there is a want of accommodation? Can you tell us from your experience?' He replied, 'I should say where the men are crowded together, as they were in that district, the work being carried on night and day, the beds in all the cottages were let double, and as soon as one set of men came out of them, after they had had their meals, another set were to take their place. The rooms were overcrowded, there could be no separation of the sexes; and demoralisation existed to a large extent among the native population. The women were corrupted many of them, and went away with the men, and lived amongst them in habits that civilised language will scarcely allow a description of."

With reference to drawbacks, the Rev. R. Wilson was asked—

"'Do you think generally men would be disposed to work for lower wages if they were sure of being paid weekly and in money?' He said, 'I think, undoubtedly, they would—no doubt they ought. There is another thing deducted from their wages, which is beer, whether they like it or not; by the rules on certain parts of the railroad, the labourers are compelled to take a certain quantity of beer.'"

Mr. Rawlinson said—

"These men were getting upon that work from 3*s*. 6*d*. to 4*s*. a-day, yet such was the excitement and lawless habits of the men in the district that it was no more to them than 2*s*. 6*d*. a-day, if they could have been comfortable and quiet, and could have lived rationally—the high wages were a curse rather than a blessing to them."

If the House only heard the statements of the carelessness and indifference of many of the undertakers of those works regarding the health and the lives of the men in their employment, he thought the House and those who read those discussions outside the House, notwithstanding their congratulations respecting the network of railways which was spread over the country, would feel very much pained by the description of what was suffered by their poorer fellow-subjects:—

"Mr. Pomfret, surgeon, Sheffield and Manchester Railway, was asked—'Did you ever think it your duty to suggest anything to the authorities of the company respecting these accidents?' He said—'I scarcely thought myself able to do that. I once mentioned the propriety of having copper instead of iron for stemming these holes, thinking the latter very dangerous; for instance, one man had drilled a hole vertically in the rock, and in putting the powder into this hole he used an iron stemmer, and this ignited the powder, and the stemmer was driven through a fellow-workman's head, and killed him on the spot.' 'Who provided the stemmer?' 'The contractors.' 'Was your suggestion attended to?' 'No; I was told that I was neither a contractor nor an engineer, and that it was not my province.'"

Who could wonder, in such a state of things, that fever and disease should prevail? Mr. Rawlinson said, that—

"Fever and the smallpox broke out amongst them; and I have seen the men walking about with the smallpox upon them as thick as possible, and no hospital to go to."

This was in the Summit Level Tunnel, where there were no hospitals; but he

would call attention to how the railways acted where there was an hospital. In his own county of Northampton the infirmary received from the Birmingham line 852 cases, which were calculated to have cost 597*l.*, and the hospital only received from the company 130*l.* 11*s.*, of which the workmen contributed a considerable sum. With reference to provisions, the Rev. J. R. Thompson said—

"'I take it upon the average that a navigator or workman working on our line pays from 20 to 30 per cent for all his provisions more than I do.' Mr. Chadwick said—'I have been informed of one piece of work undertaken by a few contractors of a condition not much above the labourers they engage, who will lose by the work itself, but who will make upwards of 7,000*l.* by the truck of beer and inferior provisions to the workmen.'"

With regard to religious instruction, the Rev. J. Thompson was asked—

"'Am I to understand, from the experience you have had, you despair of improving the labourers in a religious and moral point of view?' He replied, 'Not if a regular spiritual instruction be adopted. Perhaps an individual is under my care for a month, and then he is off elsewhere; if there was a regular system kept up, so that he could go from spiritual instruction to spiritual instruction. I think it very likely the man might be reformed.'"

Mr. Pomfret was asked—

"'Was there any religious attendance on the part of any minister upon those men who were so injured?' He said, 'I have never heard of their being visited.'"

He feared that the case he was about to read could not be considered as a solitary instance. Mr. Chadwick said, that—

"A fine powerful workman had the spine fractured in such a manner as to preclude all hope of recovery. Although this man pleaded again and again to have the Scriptures read to him with religious counsel, the request was in vain; for, after remaining many days in a sinking condition, he was suffered to expire without having received the least attention of the nature he so earnestly craved."

They found, therefore, that in the accumulation of these works, in the outlay of so many millions of money, in passing so many Acts of Parliament, and in dealing with not fewer than 400,000 fellow-subjects, they had taken no single precaution during the whole of these works, supposing they regarded these men as an army, to establish and enforce discipline among them, to provide them with medical attendance, or even to set up a commissariat department; or, supposing they looked upon them as sons of peace and children of industry, they had not treated them as children of a civilised community, but had, year after year, suffered them to go from work to work uncared for and unwatched. It appeared that a system of false names had been adopted; that men who committed crimes in one district fled to another, where, in consequence of their strength and their general aptitude for working in tunnels and other laborious work, they were received without character, and that their large wages were spent in the most lavish manner, nothing being left behind but demoralised and improvident habits, and a waste of human strength, insomuch that the average age of these men had been ascertained not to exceed forty. They—the Legislature—had taken these men from their parish ministrations—from their home charities and local ties, which, however some hon. Members might be disposed to sneer at then, did tend to the morality and peaceful deportment of the lower orders; and they had asked nothing of them but brute strength, which the men gave, and for which they were paid; and when all this stimulus of commercial enterprise was about to be checked—when a loophole was about to be given to those who chose to use it to stop the works which they had contracted for—he had looked in vain for any mention in the Bill of the railway labourers. He asked the House how they intended to deal with them—whether they thought they could safely continue to neglect them when they remembered their numbers, their power, their strength, and their demoralisation? It was for these reasons that he determined not to permit the report to be received, nor to suffer the Bill to make further progress without at least raising his voice of protest as regarded the past, and his voice of warning in reference to the future. If he thought the Railway Bills were all over there would be room only for unavailing regret; but as this Bill showed that railway projects were still numerous, and that these evils were still to continue, he should feel it his duty to submit to the House, after the recess, in a substantive form, not his own suggestions, which would be of little value, but the suggestions which had been originated in and embodied in the report of as fair and impartial a Committee as ever set. We were behind France, behind Prussia, and even, as he believed, behind America upon this subject. The evidence given in reference to the Paris and Rouen Railway, the statement of Mr. Chadwick in reference to the

Prussian railways, the evidence as to the drainage works in Tuscany and Lombardy, showed that those States had taken a more humane, and, it might be added, a more politic view of their duties than we had done. There were, in every one of those countries, minute arrangements as to the lodging and provisions for the men, and the numbers to be employed, from which we might well have learned better things. It was to be hoped that we should now learn better things, if only taught by the perils threatening us during the coming winter, in the dead of which it was proposed to permit these railway companies to turn so many men aloof without warning, without arrangement for their return to their former homes, and without the slightest evidence that they had saved money, the whole evidence going to show that the savings' banks even in the neighbourhood were a mere nullity, in consequence of the truck system, the ticket system, and the place where the men were paid, and that all their wages were spent improvidently, in dissipation and debauchery. It would have been far better for us, even taking the lowest and most selfish ground—more safe for the community at large—more satisfactory to the districts in which these labourers had been for some time congregated, and where they were to be turned off—if we had made some arrangements—compulsory arrangements he would say—in reference to the method and place of payment, and whereby habits of frugality and order would have been encouraged in them, and some means furnished to them for returning to their respective homes. We were now saying to them in effect, "It was by your labour and the strength of your hands that those works were constructed, but while we employed you, we never looked after either your bodies or your souls; like beasts of burden we used you, like beasts of burden we dismiss you, with no more concern than if you were the iron or the stone upon which you wrought." The hon. Member for Norwich (Mr. Peto), whose evidence redounded so greatly to his credit, and some other gentlemen, had mitigated and relieved the evil in some quarters; but while works so conducted had paid as well as, and probably upon the whole better than those where such cruel treatment had been practised, it only showed how innoxiously we might have stepped in and rendered obligatory upon all what their own right feeling had led a small number of contractors and proprietors here and there to do of their own accord. Let us not say that it was the free spirit of our legislation in commercial matters to leave all these things to find their own level; it was the part of a paternal Government to remember that if we wished our poor to love the institutions of their country, and to love those who were above them, we must make them feel that we sympathised with them, and desired their temporal and eternal welfare.

Sir G. GREY felt that this subject was very important; but as the hon. Member had given notice of his intention to lay resolutions before the House, embodying his views of the matters which legislation should embrace with reference to the moral and physical care of the masses of men congregated upon the great undertakings to which allusion had been made, he should defer until then any observations that he might have to make. He would, however, just remark that he feared the hon. Member rather overrated the power of Parliament to effect the object in view, although, to a certain extent, perhaps, regulations might be made by authority of Parliament in conformity with the resolutions of the Committee which had collected so much valuable evidence. The hon. Member had cast rather too sweeping a censure upon railway companies, and made too general a charge of neglect. Lately, partly owing to the labours of that Committee, and partly owing to other causes, attention had been called to the moral and physical condition of these men; and through the interference of persons of property in the part of the country through which the lines were to run, seconded by directors of companies, and by contractors, who afforded the most valuable aid of all, means had been provided in many instances for obviating the evils pointed out in the report. The hon. Member for Norwich (Mr. Peto) stated in his evidence that he had about 9,000 men in his employ, and that he provided a regular staff of religious instructors, one for a certain number of miles of railway, and that regulations were made with regard to the truck system and other points, and which in his hands were completely successful in preventing the evils existing in other cases, and in procuring a better class of labourers, securing the performance of a greater amount of labour. The same system had been followed on the Chester and Holyhead line; and, indeed, there were several cases in which the directors had

provided means for this purpose liberally, gentlemen and clergymen in the district through which the line was to pass giving their assistance and co-operation. He had far greater reliance upon these voluntary exertions, the result of public attention being called to this subject, than upon any legislative enactment, because he believed it hardly practicable by any law to secure the choice of proper men, which was secured where gentlemen like the hon. Member for Norwich, having those persons in their employ, really laid themselves out for this object. At the same time, when the hon. Member (Mr. A. Stafford) should move his resolutions, he should come to the consideration of them with an earnest desire to co-operate with him in promoting the end he had in view.

Lord G. BENTINCK: I cannot quite allow my hon. Friend's general charges against railways to pass without some observations. I really think the devil is not quite so black as my hon. Friend has painted him. He says that railway labourers are treated like beasts of burden, and that no care is taken either of their bodies or souls. Now, it is only justice to the railways to say that it appears from the same report he has quoted, that the railway labourers, on an average, receive wages to the amount of 22*s.* 6*d.* per week. When they receive such wages as these it can hardly be said that they are treated like beasts of burden. I speak from memory; but I think I saw a statement, a short time back, to the effect that the railway companies in Great Britain and Ireland were at one time contributing at the rate of 400,000*l.* a year to the poor-rates; that is, one-sixteenth part of the entire poor-rate paid in England. And what is this upon? Why, upon 50,000 acres of land; for there are only about 5,000 miles of railway executed; and I believe it is calculated that a railway occupies ten acres to a mile. I think, therefore, it is hardly fair to say when railways employ at the rate of five-and-twenty men to a mile permanently, besides employing upwards of one hundred per mile in the construction—and when they contribute 400,000*l.* to the relief of the poor—I think it is hardly fair to say that railway labourers are turned adrift when their work is done; that they are treated like beasts, or like so much iron or stone, without any remorse or compassion whatever. My hon. Friend has quoted from the evidence of the hon. Member for Norwich. I think from the evidence Mr. Peto gave before that Committee, it appears that the railway labourers he employed in Cambridgeshire were a pattern of good conduct to all the labourers in the county. I could not quite let the strictures upon railways made by the hon. Gentleman pass without saying a word in their defence.

Report agreed to.

Mr. STRUTT, in bringing forward certain clauses of which he had given notice, said that the first had reference to the extension of time for taking land. Hitherto it had been usual for companies requiring an extension of time to obtain it by means of an additional Act of Parliament; and in no one of those Acts so obtained had there been any clause inserted giving compensation to landowners on account of such extension of time. He had, however, considered that, as the Bill before the House was a general Bill for the extension of time, power of compensation should be given to the landowners who might really suffer loss from the extension of time. The manner of obtaining this compensation when the Bill was last before the House was to be by arbitration; that was, that where a contract for land had been made, and afterwards an extension of time for the construction of works had been obtained, the damage from such extension should be settled by arbitration. Some hon. Gentlemen seemed to think that it was desirable that compensation should be afforded by another award being made for damage. To this he had a great objection, because he believed that such a second assessment of damage would be rendered inoperative, as the railway companies would refuse, being deterred by the prospect of this expense, to take advantage of this Bill, and they would either not apply at all for an extension of time, or they would go to Parliament for a separate Bill, as they formerly did. It was therefore desirable that there should be no additional assessment of damage in consequence of the extension of time. With the view of meeting this case, he proposed to alter the 5th Clause of the Bill. He also now proposed to exempt those persons from the operation of the Bill, who had entered into contracts for the sale of land for the construction of works. The operation of the Bill would not affect them, and they would have the same remedy in law or in equity as they now had, notwithstanding the passing of this Act. Wherever agreements for the purchase of land had been entered into, those agreements would re-

main unaltered in effect by this Bill; and also in all cases where railway companies shall have given notice of taking land under the Lands Clauses Consolidation Act, the companies shall be bound to proceed, and take that land exactly in the same manner as though this Act had not passed. There was another case which required some provision to meet it, and that was where a contract having been entered into between a landowner and a railway company for the sale of land, in consequence of some special circumstances the landowner might be aggrieved by the extension of time. In that case, he proposed that power should be given to the Railway Commissioners to consider such cases, and to refuse or grant the required extension of time to the railway company, as they should think fit, after examining the cases of this sort that might be submitted to them. He proposed also to give the Commissioners the power of granting the required extension of time upon certain terms and conditions. The hon. Member for Oxfordshire, who had on a former occasion called his attention to these points, had also thought that there was not sufficient notice, under this Bill, given to the landowner. Under the present system, the law required that personal notices should be served on all landowners; but he thought that every person would be anxious that the great expense and trouble of personal service should be avoided, especially as this was a public general Act. Originally it was intended that there should be one notice in the *Gazette*, and one for three consecutive weeks in a newspaper published in the county through which the proposed line was to pass. In addition to those notices, he proposed to add notices on the church doors in the parishes affected by the line for which an extension of time was sought. By this means he thought that the fullest notice would be given to all parties concerned. He would not go into that part of the Bill which gave shareholders the power of suspending progress. The right hon. Gentleman brought up clauses to carry out these views.

MR. HENLEY was quite satisfied with the proposed amendments, but would be glad to have a perfect assurance from the right hon. Gentleman that the Railway Board would have full jurisdiction in the manner proposed.

MR. STRUTT said, there was no doubt whatever of it. The Bill would provide that if the Railway Commissioners should think fit, they might refuse the extension of time sought by railway companies, or they might grant it upon certain terms and conditions.

MR. WYLD had hoped that some power would be given to companies to dissolve. There were many of the lines of 1846 not yet commenced, and the parties were most anxious for the companies to be broken up. He had himself prepared a clause to meet this case.

MR. SPEAKER said, that a clause was already under the consideration of the House. The hon. Member was therefore out of order in proposing another before the former one was disposed of.

MR. HUME said, that this was a subject of great importance, and one which the Committee of last Session had gone into. He thought it was highly important that the power of dissolution should be given.

MR. AGLIONBY said, that since the railway Members had meddled with this Bill, they had done nothing but spoil it. With regard to the question of arbitration, no person could be more ready than he should be to entrust that duty to the Board; but he doubted very much that they would have time to arbitrate, and he also doubted that they would in all cases have jurisdiction. There was another point to which he wished to call attention. When land was allowed to lie altogether waste without any owner, for, suppose, a period of four years, as it would, perhaps, in those cases, it might prove very dangerous to the farmers in the neighbourhood. If the thistles were not mown, and if the weeds were neglected on that piece of ground, the land for miles around might be completely destroyed by the seed. Although the right hon. Gentleman and the Attorney General might think that they could not legislate for thistles, he would say that they ought to put in some compensation for such a case as that. There ought to be some compulsion on those people who occupy land without using it to prevent its being a nuisance to their neighbours.

The CHANCELLOR OF THE EXCHEQUER said, that when any person required an extension of time, he might come before the Railway Commissioners, and apply for such extension; and in granting that application they might impose it as a condition that the party should undertake to attend to the mowing of the this-

tles in proper time, and before seeding time.

Clauses agreed to.

Bill to be read a third time.

GOVERNMENT OF NEW ZEALAND.

MR. LABOUCHERE: I rise, Sir, in pursuance of the notice I have given, to ask permission of the House to introduce a Bill for the purpose of suspending some of the most important provisions of the Act of Parliament which was passed in the last year—towards the close of the Session of 1846—to make provision for the government of the colony of New Zealand; and I shall endeavour to state to the House, as clearly and as shortly as I can, both the reasons which induce Her Majesty's Government to think it was their duty to recommend this course to the House, and an outline of the main provisions of the measure which I shall ask the House to agree to as a means of providing for the local government of that colony. Those Members of the House who have paid any attention to the affairs of this important colony, will recollect that there was in the year 1846 a very general concurrence of opinion on the part of those who had at all considered its concerns, that it was exceedingly desirable to introduce a constitutional government into that country. I think there were petitions from the inhabitants of that colony to that effect presented to this House; it was also urged upon us by the New Zealand Company, whose stake in that colony and whose attention to that colony are so great, and I think that in the discussions which took place, both in this House and the other House of Parliament, almost all the leading statesmen of the country expressed a desire that as soon as possible a beginning at least should be made with a view to introduce a constitutional and representative government into the colony of New Zealand. That was the state of things when Her Majesty's present advisers came into office; and my noble Friend who holds the seals of the Colonial Department immediately applied himself to the consideration of this important subject. I believe I am correct in stating that he found on record in his office the determination of the Government that preceded us to introduce some measure of this description for the government of New Zealand; at all events, he thought it to be his duty, with as little delay as possible, to mature such a scheme for the purpose as he thought on the whole would be suited to the circumstances of the case. The result was, that a Bill was introduced into Parliament towards the close of the Session of 1846, which passed, I believe, very nearly unanimously through this and the other House of Parliament, by which Her Majesty was empowered to give a charter to the colony, and issue instructions which were to regulate the future government of New Zealand. Sir, the main provisions of the Act of 1846, and the letters patent which issued under it, were to the following effect: The colony of New Zealand was divided into two provinces, which were designated by the names of New Ulster and New Munster. Municipal districts were constituted, or at least power was given to the Governor to constitute municipal districts, with town-councils, in all those parts of New Zealand where there was some considerable number of English colonists; and those municipal districts thus constituted were made the foundation and nucleus of the system of representative government which it was sought to rear upon them. Those districts were to elect representatives for two legislatures—one for each of the two provinces of New Zealand —and there was also to be a General Assembly of both provinces, to be elected by the two legislatures, which General Assembly was to take into consideration certain subjects of great interest to both districts, such as taxation, and questions of that sort. This Act was to come into effect as soon as the letters patent were proclaimed by the Government of New Zealand. This is the general outline of the plan of constitutional government that was adopted for that colony pursuant to the Act of Parliament. I should mention as to one other important and difficult point of this subject —I mean the position of the aboriginal inhabitants of New Zealand with reference to these institutions—that that part of the subject was proposed to be settled in the following manner: It was proposed that those municipal districts should only comprise those parts of New Zealand in which there was resident some considerable number of white inhabitants. With regard to that great tract of country occupied almost exclusively by the aboriginal inhabitants of the island, it was not proposed to bring it immediately within the scope or pale of these institutions. It was thought that the aboriginal inhabitants themselves were not properly ripe for institutions of this kind; and the difficulty and hazard were

foreseen of subjecting them to the control of the white inhabitants. It was endeavoured to provide for that difficulty in this manner, by securing the enjoyment of their own laws and customs to all that great portion of New Zealand which was not included within the municipal districts, and taking care, as had been done in the instructions sent out, that the New Zealanders in those parts should be adequately secured, while the assemblies to be constituted should be prevented from interfering unduly with the rights, habits, or customs of the aboriginal inhabitants. This, Sir, is the outline of the scheme that was sent out to the Governor of New Zealand. The reasons which have induced Her Majesty's Government to propose now to suspend the operation of this constitution, are contained in despatches which have been received from the Governor of New Zealand; and when I mention the name of the present Governor of New Zealand, I think every person acquainted with the affairs of that colony will admit that any opinion expressed by him should have the greatest weight with this House and with Her Majesty's Government. And, as the result of his examination of the plan proposed by the Government, he states the greatest objection to be entertained by him to bringing this constitution at present into effect in New Zealand. We feel that the objections he makes are supported by the great weight of authority which naturally belongs to a person of his proved ability and diligence residing on the spot, and therefore much more able to judge of the local circumstances of the island, than we can at a distance of several thousands of miles. And any person who has perused the letter of Governor Grey on this plan of a constitution, will perceive that he gives very valid reasons for the alarm he feels at being called upon to promulgate this constitution. There is, however, one satisfaction at least in the difficulties that we experience in this island, and it is this, that the objections which Governor Grey states to the introduction of these institutions into New Zealand at present, rest upon a remarkable description he gives of the knowledge, improvement, and intelligence of the aboriginal inhabitants of New Zealand. Governor Grey says—

"It is quite true, you have attempted to protect them from injustice, by guaranteeing and fencing their rights from the English minority; but, after all, it comes to this—you have left to the English minority the power of making laws in the Legislative Assembly, and of imposing duties which will be mainly paid by the aboriginal inhabitants of this island."

He describes these islanders as possessing much property, as perfectly understanding the value of property—as exceedingly anxious to acquire and retain it—and, above all, as possessing intelligence to perceive that any duty thus levied would be paid by them. He says that great dissatisfaction under such a system would prevail in New Zealand; indeed, to such a degree, that he fears it would lead to tumult and insurrection, if the whites had in this way the power of taxing the great body of the people. And this he says would more particularly take place in the northern province, in New Ulster. That is the main objection he has to the immediate introduction of this constitutional and representative government into the colony of New Zealand at present; and the expressions of Governor Grey on the point are so forcibly and clearly put, that perhaps the House will allow me to read them:—

"By the introduction (said Governor Grey) of the proposed constitution into the provinces of New Zealand, Her Majesty's Ministers would not confer, as it was intended, upon Her subjects the blessings of self-government, but would be giving power to a small minority. She would not be giving to Her subjects the right to manage their affairs as they might think proper, but would be giving to a small minority a power to raise taxes from the great majority. There was no reason to think (continued Governor Grey) that the majority of the aboriginal inhabitants would be satisfied with the rule of the minority; while there were many reasons for believing that they would resist to the uttermost. They were a people of strong natural sense and ability, but by nature jealous and suspicious. Many of them were owners of vessels, horses, and cattle, and had considerable sums of money at their disposal; and there was no people he was acquainted with less likely to sit down quietly under what they might regard as an injustice."

Sir, I think there is this satisfaction on reading this account, that the House must be convinced that in the aboriginal population of New Zealand there is a nation extremely deserving of the greatest care and attention of this House, and who, if they are treated with consideration, policy, and humanity, will, I hope, form an exception from that which I regret to say has been almost hitherto the undeviating fate of those savage nations who come in contact with their civilised fellow-men. We may hope, I trust, that the people of New Zealand will form an exception to that rule, and by care may be gradually but completely assimilated to us in habits and constitutional practice, and that they may

amalgamate with Englishmen as one race, each enjoying British institutions, British religion, and British liberty. Sir, my noble Friend at the head of the Colonial Office, as well as his Colleagues of Her Majesty's Government, on receiving this despatch containing an opinion so decided, and so strongly supported by such valid arguments, from so high an authority as Governor Grey, did not hesitate as to the course which they would adopt and recommend to the House. I think it would be the height of rashness, if, in contradiction to an opinion of this kind — if, in opposition to the representations of Governor Grey, we attempted to force institutions on the colony, which, however valuable they may be themselves, may at present prove objectionable. I trust those institutions will prove a blessing to that colony, when introduced with discretion and proper feeling; but I repeat it would be the height of rashness to risk the peace of that colony, by forcing, without due consideration and preparation, those institutions upon its people. On a perusal of that despatch the noble Lord the Colonial Secretary thought it best at once to suspend the operation of a portion of the Act. It is proposed that only a portion of the Act should be suspended. It is not proposed to suspend that portion of the Act which provides municipal institutions—we think such a form of government may safely be allowed for local purposes. It would form a nucleus upon which to establish a representative government for the whole colony; we reserving to ourselves the right of laying down the details, and determining the qualifications and proportions of those representations. We shall leave that part of the Act which relates to municipal institutions untouched. In the Act of 1846 it was proposed that the qualification to vote in the election of representatives should be the possession of a house, and the ability to read and write in the English language. It was then supposed that in those parts of New Zealand to which the Act referred, there were very few aboriginal inhabitants possessed of the qualification, and that it would be extremely improper to exclude them. On inquiry it was found, however, that, although great numbers of the aborigines could read and write their own language, hardly any of them knew how either to read or write English. Now, we are of opinion that the possession of a house, and the capability of writing their own language, shows a sufficient capacity for business to entitle them to vote. In several places there are German and French settlers. These are men of education, intelligence, and respectability—they can read and write their own language perfectly well, but they cannot read and write the English language. We propose that the Governor shall give certificates to all respectable persons—whether foreigners or aborigines—so circumstanced, and that they shall have the power of voting in the municipal elections. The provisions of the Bill are shortly these: Firstly, it proposes to suspend the operation of the Act of 1846 for a period of five years. Secondly, it provides that the old Legislative Council of 1840, with power to add to their number, shall—with the Governor for the time being—be clothed with unlimited legislative power; that they shall nominate a resident governing power for New Ulster, or they shall order such governing power to be chosen by election. It is, in fact, intended to retain the old Charter of 1846, with the addition and alteration of the municipal franchise. It will at once be perceived that the very nature of the measure is to confer a large discretionary power on the Governor. And in so doing, I believe that we shall be pursuing the wisest and the safest course for the inhabitants of New Zealand, and for the interests of this country. It is extremely difficult in cases of this kind, when we are legislating for parties residing thousands of miles from us, to avoid falling into great and serious errors; and if this be taken as a general maxim, well to be acted upon in every case, how does it apply with a double force to the case of New Zealand! Here we have a large country, with a population but recently emerged from a state of complete barbarism to one of comparative civilisation; a population possessing an extreme aptitude for all the arts and comforts of civilised life—embracing voluntarily, and almost universally, the doctrines of the Christian religion. When we consider that there are scattered amid this numerous and interesting population but a small portion of our countrymen—a small portion of Europeans—I think we must confess that there is every reason for more than common caution in legislating with respect to New Zealand. Her Majesty's Government came to the conclusion that some very simple scheme—some temporary measure—leaving to the Governor and his Council large discretionary powers as to the course to be taken, would

be the wisest policy at the present moment. I do not know whether it is necessary for me to trouble the House further at this stage. Those documents from which I have quoted contain a most substantial and complete narrative of the circumstances which led to the evils so clearly, ably, and lucidly stated by Governor Grey in his despatch. They are also very fully and with great ability stated by the noble Lord Her Majesty's Secretary of State for the Colonies. In those documents will be seen the reasons for partially retracing the steps which the House and Her Majesty's Government had previously come to. There is one part of Governor Grey's despatch which says that he feared there would be the greatest difficulty in promulgating the Charter in some parts of New Zealand, and that it was only in one portion of the island that he would recommend its promulgation for the present. Now we come to the conclusion that there would be more evil in establishing the Charter of 1846 in one part only than in its postponement altogether. We recommended that it should be suspended. According to the despatches of Governor Grey, it would seem that the preliminary steps for the promulgation of the Charter had only just commenced; the Act will therefore lead to no practical inconvenience. Governor Grey will soon hear of the intentions of Her Majesty's Ministers, and we may safely leave the matter to Governor Grey. I cannot sit down without expressing the gratification I feel at bearing my humble testimony to the private worth and public energy of His Excellency. Under his wise and temperate management, a great alteration in the social and trading position of the colony has been effected—good feeling and harmony have been restored—and I trust, we may confidently look forward to the time when New Zealand will become a most valuable and useful possession of the British Crown. I will conclude by moving for leave to bring in a Bill to suspend the operation of part of the Act for making further provision for the government of the New Zealand Islands.

Mr. GLADSTONE entirely agreed with many of the observations which had fallen from the right hon. Gentleman; and he was more especially ready to re-echo the expressions which had been used by the right hon. Member with respect to the character and conduct of Governor Grey. He had been glad to hear the terms in which the right hon. Gentleman had spoken of the native inhabitants of New Zealand; because he did not think that, on all occasions, there had been an equal disposition to recognise the great capabilities and noble qualities of the aboriginal race. He considered that they had, in the case of the islands of New Zealand—with, perhaps, the single exception of their West India Islands—the most interesting and hopeful instance of juxtaposition between European civilisation and aboriginal races which the world could present; and he believed that if the House would exhibit towards the New Zealanders that paternal care and tenderness which it was their bounden duty to extend to them, they might witness a satisfactory, a peaceful, and glorious issue to the Christian, philanthropic, and enlightened labour which had been bestowed upon the colony. The right hon. Gentleman (Mr. Labouchere) had stated that the late Government had left upon record proofs of their desire to grant free and representative institutions to New Zealand. The statement was perfectly true; but there had undoubtedly been a difference of opinion between the late and the present Governments as to the most speedy and effectual method of realising that great object. It was the opinion of the late Government that the best mode of attaining that end was to incur, in the first instance, the delay of a reference to Governor Grey. When he had the honour of holding the seals of the Colonial Office, the Government believed that any steps which would have the effect of binding the hands of Governor Grey, or of committing the authority of the Government or of Parliament to the particular form of the institutions to be adopted in New Zealand, would be ill-advised, and would be likely ultimately to lead to the loss of time which such measures were intended, in the first instance, to avoid. He readily gave the noble Earl at the head of the Colonial Department the greatest credit, not only for the motives by which he had been governed, but for the zeal and energy with which he had proceeded in the execution of this portion of his duties; but he must say, that he thought the noble Earl's zeal had in this particular instance a little outrun his discretion, and that he would have more effectually consulted the dignity of the Crown and the welfare of New Zealand, had the noble Earl been content to refer to Governor Grey, and to obtain his deliberate judgment on the subject, rather than to anticipate what that judgment might be,

and send out instructions which, however ingeniously devised and plainly expressed, were almost certain to be ill suited to the actual circumstances of the moment in New Zealand. With regard to this Bill, he considered that the right hon. Gentleman by whom it had been brought forward, had made out a good case; but, at the same time, he must say that some of the provisions of the measure appeared to be of a peculiar nature. He did not make this observation with a view of impeaching its wisdom; but he thought it was a reason for abstaining from any detailed discussion of the provisions of the Bill until they had had an opportunity of giving it mature consideration. As far as he understood the statement of the right hon. Gentleman, his proposal almost amounted to placing the whole discretionary power with respect to representative institutions in the hands of the Governor; that certainly was, on the one hand, a very extraordinary demand; but, on the other hand, he was free to say that, according to his judgment, there never was a man in whose hands extraordinary powers could be more safely placed than in those of the present Governor of New Zealand. He considered that everything that could be done upon the principle of placing confidence in an individual, and in deference to the principle of allowing local knowledge and experience to prevail over speculations formed at a vast distance, ought to be done with respect to the Bill about to be laid upon the table. He would not on this occasion enter further into a discussion of the Bill; but he begged to say a few words on a portion of the subject which had been referred to by Earl Grey in his despatches —he alluded to the disposal of the public lands in New Zealand. At the commencement of the present Session he inquired whether it were the intention of the Government to lay upon the table the answer of Governor Grey to the despatch of Earl Grey, dated the 23rd of December, 1846, and particularly that portion of the answer which related to the disposal of public lands. He also asked whether the reply of Earl Grey to that answer would be presented to the House. In the papers which had been delivered that morning, he found the acknowledgment by Governor Grey of the arrival of Earl Grey's despatch; and also a second despatch of the same date from Governor Grey, referring to a protest of the Bishop of New Zealand; but he did not find any despatch referring to that portion of Earl Grey's despatch which related to the disposal of public lands. He concluded, however, that if such a despatch had arrived it would speedily be laid upon the table, and that if it had not arrived they would not have long to wait for it; but in the absence of the important information which he was anxious to obtain from the document to which he referred, he should occupy the time of the House unprofitably if he entered upon a discussion of this subject. The despatch of Earl Grey, which closed the papers that had to-day been laid on the table, referred to the protest of the Bishop of New Zealand, dated the 1st of July, 1847, in which the Bishop, assuming and believing that Earl Grey's despatch on the disposal of public lands asserted doctrines at variance with the Treaty of Waitangai, deemed it his duty to protest against such doctrines, and stated that he would think it proper to instruct the people committed to his charge in the rights which they had acquired as British subjects under that treaty. Of course the merits of that protest depended essentially on the main question, whether Earl Grey's despatch was really at variance with the Treaty of Waitangai—a question which at that time he would not discuss. But, passing by that question for a moment, he must say he hoped the House would recollect the peculiar position in which the Bishop stood with respect to the enforcement of that treaty. He confessed that at first sight a protest like this, with regard to a civil matter, had much the aspect of a gratuitous and wanton interference on the part of a spiritual person with civil and political affairs; but any attention to the course of events must convince hon. Gentlemen that there was no ground for such a charge in this case. He would also presume to say that the slightest knowledge of the character of the Bishop of New Zealand would convince any Gentleman that there was no person less disposed to mix in such matters, or more entirely and ardently and exclusively devoted to the duties of his sacred calling. Nay, he (Mr. Gladstone) would even say that the Bishop of New Zealand had a shrinking aversion to political affairs, and that he was most anxious to draw clearly and broadly the line of demarcation between his office and the functions of the civil magistrates. But in this particular instance the clergy were the chosen instruments of the Government for contracting the Treaty of Waitangai, and establishing the govern-

ment of the Queen. That treaty was made known to the natives through the medium of the clergy, to whom its construction was in a great degree committed; and it therefore became the duty of the clergy, and of the Bishop at their head, to see that public faith, as conveyed through them, was carefully guarded and kept strictly inviolate. On the ground, therefore, of maintaining and vindicating the pledges given by the clergy to the native population, and not from any general disposition to interfere in civil matters, the Bishop had found it necessary to make himself a party to what he believed the Bishop would otherwise have gladly avoided. He did not anticipate that in that House this *primâ facie* objection to the proceeding of the Bishop would be taken by any one acquainted with the affair. There was, however, in the despatch of Earl Grey, one assumption which he thought was important on the one hand, as it was clearly erroneous on the other. The noble Earl said, that he did not for a moment doubt the sincerity of the assertions made by the Bishop; but he feared it was impossible that language such as that of the protest could be announced to a people who had so lately emerged from habits of the most savage barbarism, without producing very serious consequences. He confessed that he should have been disposed to agree in opinion with the noble Earl, if this document had been addressed by the Bishop to the natives; but he did not find in the protest any indication that it was intended for the cognizance of the natives. Although he knew nothing of the existence of the protest until that day, he could not believe that it had been intended to be made public in the colony; and he must continue to believe so in the absence of all direct information to the contrary. It was perfectly consistent with all the known circumstances to suppose that the Bishop had addressed the protest to Her Majesty's Representative at the head of the civil Government, as a person for whom he had the utmost respect, in whom he placed confidence, and whose authority he was desirous in every way to support, and to whom he thought it his duty to give the first notice of the appearance of any circumstance which seemed likely to divide the duties of the bishopric from the duties of the Government. If that should prove to be the case, he apprehended that the Bishop would not be open to the charge of having addressed language which was likely to operate on the feelings of a native race of excitable temperament under the circumstances which Lord Grey assumed. Perhaps the right hon. Gentleman, when he should answer his inquiry relative to the despatch of Governor Grey with respect to public lands, would also state whether the Government were in possession of any information which showed that the protest was published by the Bishop in the colony, or whether—for anything the Government knew to the contrary—he might not be right in presuming that the protest was only a communication addressed to the Governor himself by the Bishop, in which the latter expressed his strong and conscientious feeling with regard to what he deemed the breach of a solemn treaty between Her Majesty and the native chiefs? If the despatch of Lord Grey could be reconciled with the Treaty of Waitangi—if it were conceived in the spirit of that treaty—it was an unfortunate circumstance that the despatch should have been misapprehended by an individual possessing such weight—derived both from his own personal character and the sacred office which he filled—as the Bishop. All who were acquainted with the character of the Bishop must be aware that he was not less distinguished for the sobriety of his disposition than for the prudence and practical bearing of every step he took, as well as for his ardent enthusiasm in the discharge of the duties of his calling. Nothing could be more improbable than that the Bishop should have gratuitously addressed to the native population language which, he must admit, it would be most unwise to use in appealing to them. He earnestly hoped that, for the sake of the Bishop himself, and for the sake of the individual charged with the responsibility of maintaining the peace of the colony and the authority of the Crown, the supposition on which Lord Grey had proceeded with respect to the protest would prove to be erroneous—that the introduction of the Bill would meet with general assent—and that after the recess it would obtain from the House a degree of consideration proportionate to its importance.

Mr. V. SMITH had listened with sorrow to the speech of the right hon. Gentleman who proposed to introduce this Bill; because he had hoped, after all that had been done with respect to New Zealand, that the colony would at last be allowed a little repose. He concurred with the right hon. Gentleman in looking upon New Zea-

land as being the colony most congenial in feeling and interest to the mother country of any we possessed. It resembled England in soil and climate, and the aborigines possessed much of the energy, enterprise, and intelligence, which distinguished the Saxon race. These circumstances gave the colony a peculiar interest in the eyes of the people of this country. He suggested that when they were about to suspend the political constitution of the colony, it would be as well to suspend its territorial constitution also. There was no person to whom he would be more disposed to intrust ample discretion than Governor Grey; and he hoped that henceforth the Government would endeavour to select colonial governors like him, who owed his advancement to no party feeling or family connexions. It was, he admitted, difficult to determine beforehand what man would make a good colonial governor; for, however well fitted for the office an individual might appear to the authorities at the Colonial Office, it not unfrequently happened that when he established himself in his colonial government, the parading of troops, beating of drums, and salvos of artillery, turned his head. Another point to which he wished to call the attention of the Government was, the necessity of not crippling too much the power of the Governor in any colony. The right hon. Gentleman who had just sat down had made a very elaborate defence of the Bishop of New Zealand. He entertained great respect for the character of that right rev. Gentleman; but if he were to judge of him only by this protest, he must say that he was the most agitating bishop he had ever heard of. Hon. Members had that morning seen evidence of what agitating bishops could do; but this right rev. Gentleman went further than any of them. He said, in reference to the doctrine propounded by Earl Grey in his despatch, "Against this doctrine I am called on to protest, as the head of the missionary body." It would be observed that he did not say, "as the head of the clergy of New Zealand," but "as the head of the missionary body;" and he (Mr. V. Smith) could not help recollecting how often the zeal of the missionaries in New Zealand had overstepped their discretion, and injured the cause, and retarded the prosperity of the colony. The Bishop also said in his protest, "It is my duty, and I am determined, God being my helper, to inform the natives of their rights and privileges." It was evident, therefore, that the Bishop intended to agitate on the subject; and he (Mr. V. Smith) thought that the phrase "God being my helper," was one of the strongest expressions which he ever recollected to have been used by a bishop when speaking of civil or political rights. He could not help thinking that the right rev. Gentleman would be more likely to impede than to assist Governor Grey in New Zealand; and he trusted his right hon. Friend would not be scrupulous in entrusting Governor Grey with ample powers, and that he would also be very careful how he fettered his discretion, by obliging him to consult others in the colony.

Mr. ROUNDELL PALMER said, that though he was a Member who had but lately entered the House, it was impossible for him to sit in any assembly of Englishmen where, humble as he was, he had to represent important interests, and silently hear assailed a man whose virtues and abilities he believed to be of the highest order that ever honoured the character of a Christian bishop; a man who had done, not merely to the advancement of the religion of that Church which it was his duty to maintain and uphold, but also of those political institutions which were the subject of the deliberations of the House, more genuine service than had been done, or could be done, by anybody in New Zealand —services which he (Mr. Palmer) knew would be appreciated hereafter in this country, and which were now appreciated and understood in the country which was the subject of debate. He had heard with great satisfaction the whole, he might say, of the speech of the right hon. Gentleman the President of the Board of Trade, but most particularly that part of it which referred to the native aboriginal population of New Zealand, because he had shared that feeling which he was sure all students of modern history must have entertained, with reference to the events which had attended the march of civilisation. The conduct of Spain towards the natives of the countries which she overran was marked by bloodshed, cruelty, and rapine; she trampled upon men, treated them with utter contempt, dispossessed them of their land, made their persons her property, and finally exterminated them from the face of the earth. He believed he might say, that, though this country had some crimes of this nature to answer for, we had less than many other nations; and certainly, when we come to New Zealand,

our coming there was not an alarming circumstance for the friends of humanity to contemplate. Those missionaries who had been spoken of, and of whom he should have a word to say by and by, long before any pretensions to the territory of New Zealand had been made on the part of the British Crown, had left all they valued in the world to carry knowledge, virtue, and civilisation among a people, to go among whom was to encounter persecutions scarcely less serious than those which the early Christians had to endure. They were the pioneers of civilisation; they taught those people to know something of a higher life, beyond this world, and in it too; they laid the foundation on which a promising superstructure had since been raised; and it was to them that we owed this great fact, that Ministers were now enabled to come forward and say that there was a just ground for hoping that the aboriginal inhabitants of New Zealand might be incorporated as British subjects, and admitted to participate in the benefit of our political institutions. If the natives were found to be intelligent, possessed of cultivated minds, and imbued with the principles of religion, all this was owing to the missionaries, who had been spoken of with so little respect. It might be that there had been some in whom zeal had outrun discretion; not that he should accept as conclusive the *dictum* of every hon. Gentleman who spoke on this subject, because the hon. Gentleman and the missionaries might be impressed by different ideas. The missionary looked beyond the present; he had higher principles, higher objects in view. Even if he expressed himself too warmly, he (Mr. Palmer) was persuaded that it would be far more for the interests of the colony that the voice of the missionary should be lifted up for the instruction of the natives, because he knew in what way the moral feelings of the natives were touched. Not only did we hear from the missionaries the most satisfactory testimony to the qualities of the native race, but even the history of the collisions which had taken place, afforded, he would venture to say, corroborative evidence of what noble materials these people were made. Even their rebellion, though it might be a question how far that term could be applied in all its strictness to their proceedings, was conducted in the most humane manner, and in accordance with the spirit of civilised warfare. They acted in the rebellion as well as men could do who were rebels. He had detained the House too long; but he wished to say one word with respect to the protest of the Bishop of New Zealand. The Bishop of New Zealand thought, and he confessed that, on reading Earl Grey's despatch he thought also, that the despatch was intended to inculcate a certain principle in dealing with all questions that could arise with respect to the title of the natives to the land. As he read the despatch, it amounted to this:—"You have recognised certain territorial rights in the natives already; do not go beyond that; and take this principle as your guide in future, that they have no territorial rights at all." Now, it should be recollected that the missionaries and the Bishop of New Zealand were the persons through whom the Government of this country had dealt with the natives. The missionaries carried on the negotiations; they understood the sense in which the natives understood the transaction with them; and could it be otherwise than the duty of these men to protest, in the most public and emphatic manner, against an act which appeared to them to be, not a mere abstract enunciation of a formal principle, but one which practically altered the whole course of our policy on questions connected with the possession of land, and which was directly opposed to those principles which the Bishop and the natives understood to be the basis of the treaty? With regard to the language of the protest, he thought that it had been somewhat misunderstood. All that the Bishop said was, that he would, in a manner consistent with the dignity of his station, by all the lawful means in his power, teach the natives in what way they should exercise their undoubted rights and privileges. All depended upon the way in which the Bishop acted upon that announcement, which was not made public to the natives. It seemed to him that the Bishop had done no more than state, very clearly and plainly, what was the course which he should pursue, and that his language did not tend in the slightest degree to agitation or disturbance. He knew, and every body who was acquainted with the Bishop of New Zealand knew also, that the words with which he had accompanied the declaration of his intentions were not mere words of hollow qualifications in his mouth. He would speak strongly to the Governor, by whom, if he were open to censure, he would be censured; and to the natives, if he said that he would speak as a bishop ought to speak, he knew he would do so;

and that he had done so, he (Mr. Palmer) was as firmly convinced as any one could be.

Mr. HUME considered the reasons assigned by Governor Grey so clear and satisfactory, that he entirely concurred in the Motion. He confessed that he, for one, deeply regretted what appeared to have been the conduct of the Bishop of New Zealand. He also regretted to hear the speech of the hon. Gentleman who had just sat down; for, allowing everything which the hon. Gentleman had said of that Bishop to be perfectly true, still he, when that Bishop was sent to New Zealand, could only judge of him by his conduct there. Of all the documents connected with the colonies, he could find none in which there was such a manifestation as in those connected with New Zealand, of any bishop or clergyman so standing up and bearding the Government, and declaring that he would dispute the orders, not merely of the Governor, but of the Secretary of State for the Colonial Department. What did the Bishop find fault with? Lord Grey, with a view very properly to close the disputes connected with land, which placed the colony of New Zealand in an unsatisfactory state, endeavoured to point out to the Governor what ought to be the principle in reference to that subject; and one of the rules was, that the savages in New Zealand were to have no right to the land which was unoccupied or unsubdued for the purposes of cultivation. The Bishop referred to this as a doctrine which he was determined to resist; and he was prepared to teach the inhabitants of New Zealand that they had a right to all the land in the colony, and that any attempt to displace them was a violation of their rights. That was the way he construed the language of the Bishop. He, therefore, considered that this document, proceeding from the Bishop, only showed that that venerable Prelate, who was described as being so amiable until he left this country, must have had his head turned the moment he landed in New Zealand by the salvos of artillery which announced his landing. Yet this was an individual, whom the people of England were paying — 600*l.* was the amount of the salary charged in the last estimates. When the Bishop was sent out, he objected to any expense; and he would now ask, were they to pay a man to become a firebrand in the colony? If the Bishop differed from the Secretary of State, was it becoming in him, being next in rank to the Governor, to take on himself to proclaim to the inhabitants that the authorities at home were exercising arbitrary and unjust authority? After reading the papers laid before Parliament, he came to the conclusion that it was the duty of the Government to remove the Bishop to a better climate and a more favourable station. At any rate, that House could stop his salary at once. The House had been told that these missionaries had taught the people of New Zealand Christianity; that they had reformed the cannibal habits and barbarous usages of the natives; and that it was through them that the colony had been brought to peace. The hon. Member who last spoke, had told the House that these missionaries had sacrificed everything to promote the cause they professed. And yet, he asked, what had been the result? If he recollected aright, the Church Missionary Society, and other bodies from whom they received money, had written out to these missionaries to say that they were forgetting their mission. They represented that they had not sent them out to become great proprietors of large estates and jobbers in land, but to be the propagators of Christianity. It did not appear, however, that these missionaries had exercised the virtues of self-denial, because they had absorbed 96,000 acres of land, holding out to the natives that because of their sacred calling they were privileged to buy land, but inducing the natives to resist every other person doing so. So that the authorities at home were obliged to send out positive orders that they should not proceed in a way which was disgraceful to their calling. One missionary, of the name of Williams, was said to be in possession of 30,000 or 40,000 acres. He considered it to be a great misfortune that the colony from the first had been in the hands of these intriguing missionaries. From them had proceeded the distrust and hatred of the British Government, and the unfortunate collision which had taken place. On this ground he was sorry to hear any one commending men who had caused such results; and he also regretted that any language should have been held to the effect that the ecclesiastical power should be predominant in the colony of New Zealand. If that were to be the case, where were they to end? He had always been accustomed to regard the ecclesiastical pewer as subordinate and obedient to the civil power. Were they now to have a Bishop and his

clergy bearding the Governor of a colony? He hoped the Government would make Governor Grey dictator until he was free from such meddling and dangerous interference. And he also hoped that this would be a lesson to the present Secretary of State for the Colonies not to send out more bishops. He was not sorry that the Ministers had got a lesson on this point, and he hoped it would teach them to be more prudent in future.

Mr. CARDWELL said, that the present Bill was one step proposed to be taken in respect to that difficult problem which they were endeavouring to solve—the government of New Zealand. He hoped that it would not be made the occasion of manifesting any other spirit or feeling than a sincere desire on all parts to promote so desirable an object. It must in candour be admitted that their progress towards the desired end was not very great. Two years ago they differed upon many matters; but there was one point upon which they were even then agreed—the extension of municipal institutions to New Zealand. As far as he could collect from the statement of the right hon. Gentleman, they were now called on to cancel all that had been done since, with the exception of the municipal institutions; and to make, also, some alterations in those municipal institutions, in respect to the exercise of the privileges. ["No!"] He said yes; for if the Governor were to have the power to give a certificate, constituting the qualification of the elector, that was an important alteration. He only referred to this matter for the purpose of showing how difficult was the experiment they were making, in applying the constitutional forms of European government to a mixed population, consisting partly of European immigrants and partly of aboriginal inhabitants. In solving this problem, he hoped that the Government would not be guided by the advice of the hon. Member for Montrose. He must say, that if the learned and most estimable Prelate in New Zealand, forming an opinion for himself on a matter in respect to which he believed he had contracted a solemn responsibility, were not to be allowed to send to the constituted authorities, and to the Secretary of State for the Colonies, his firm and steadfast remonstrances, then constitutional liberty and freedom of discussion must be considered at an end. He would not consent to the abolition of constitutional liberty and popular discussion; and whether it should turn out that the Bishop of New Zealand was right or wrong in his opinion, which they would know more about when they came to a deliberate discussion of this matter, he said it was intolerable to hear in the House of Commons a man called a turbulent priest, and such other terms as the hon. Member for Montrose had used, because, in firm language, he had addressed a remonstrance to the Secretary of State through the Governor of New Zealand. [Mr. Hume had not used the terms mentioned by the hon. Gentleman.] He was sorry if he had mistaken the effect of the hon. Gentleman's observations. [Mr. Hume: But I have no objection to calling the Bishop a turbulent priest.] Then he was in the judgment of the House; and those who heard the hon. Gentleman would form for themselves an opinion whether the language the hon. Gentleman had applied to the Bishop of New Zealand was such as was justified in its application to a person making a firm remonstrance through the constituted authorities to the reponsible Government The hon. Gentleman said he did not know much about the Bishop, and thought that his having landed in New Zealand under a salute of guns had turned his head. He was exceedingly sorry for the hon. Gentleman, for if he had read the despatches that had been laid on the table of that House with respect to the conduct of the Bishop when he was amid the sound of artillery, when he was amid the din and smoke, not of a salute, but of actual battle; and had found that the dangers he then saw, did not turn his head or discourage him from being in the thickest of the danger, and rendering to the sufferers that assistance which became his situation; he thought the hon. Gentleman would be of opinion that the head of the Bishop was not easily turned by the sound of a salute. Then the hon. Gentleman expressed his hope that, at all events, the salary of the Bishop would be stopped; and, pursuing his idiosyncracy, he recollected that in the last miscellaneous estimates there was an entry of 600*l.* for the salary of the Bishop. He had not the honour of being in the confidence of the Bishop, with respect to his salary; but he did know his character, and he ventured to tell the hon. Gentleman, that if there were a living man upon whom the fear of losing a stipend of 600*l.* a year, allowed to him by that House, would be utterly inoperative to deter him

from what he believed to be his duty, that man was the Bishop of New Zealand. He had been drawn into these observations because he thought it was intolerable that language of such a nature as they had heard that evening should be addressed to a person of great respectability and eminence for what he believed to be the discharge of his duty. He had purposely forborne to enter upon the question whether the Bishop was right or wrong in this matter; but he had yet to learn that a person's being right or wrong in the precise opinions he had formed, was to be the measure of his liberty to express them. The Bishop of New Zealand represented a body of persons of whom all the authorities who had filled the Colonial Office had spoken in terms of the highest respect. He held in his hand a document showing the language in which the noble Lord at the head of the Government, when he filled the office of Colonial Secretary, spoke of the clergy and missionaries. He spoke of them, as all others had, in terms of the highest respect. We had obtained possession of New Zealand by treaty. We had formally, studiously, and ostentatiously disclaimed all right of sovereignty by the title of discovery; wisely or unwisely, we had obtained possession of it by treaty. We chose the missionaries as the negotiators of that treaty; and there was a remarkable scene, which had been described before in that House, in which the New Zealanders debated whether they should or should not make a treaty. The argument used by those who would have dissuaded them from it was this—"Your land will be taken from you." The argument of the missionaries, on behalf of Great Britain, was—"Your land shall not be taken from you;" and the New Zealanders then, in their own figurative language, said—"We quite understand it. The shadow of the land goes to Queen Victoria—the substance remains with us." He did not think that that was an occasion for entering upon a long discussion as to the true interpretation and right application of the Treaty of Waitangi; but it was impossible to deny that responsibility in regard to it rested on the missionaries we had employed to conduct it; and it was also impossible to deny that it was right to respect their sense of their responsibility. If the Bishop had been guilty of acts as an agitator, he would be deeply culpable, and seriously responsible; but they had no evidence whatever that he had done anything except addressing the Governor, and, through the Governor, the Secretary of State. He knew no right more inherent than that of an Englishman, in any situation, to state to the Government in firm and temperate language, his opinion on a matter for which he was responsible; and he begged to enter his protest against the censure which was now sought to be cast upon the Bishop of New Zealand for having done so.

MR. AGLIONBY regretted very much that during the course of this debate many remarks had been introduced which had caused irritation; but he must confess that it was not the fault of the Government or of the right hon. Gentleman who had brought this subject before the House. He regretted also that the protest which had been referred to, should have been made by the Bishop of New Zealand; but he hoped and trusted, that further reflection might have induced the Bishop to be contented with having made it, without anything more. With respect to the observations of the hon. and learned Member for Plymouth, that hon. and learned Member surely never could have read many of the Parliamentary papers with respect to the conduct of the missionaries and the Treaty of Waitangi. It had been stated in that House, and had never been refuted, that the missionaries were not all of that high character which some might suppose clergymen who were sent out of this country should be. No doubt there were many most excellent men amongst them; but others, from personal motives, had allowed political feelings to interfere with the performance of their duty. It would be recollected, that when the treaty was made, the missionaries became purchasers of land. That was contrary to the rule of the Society, and if he mistook not, he had seen a resolution of the Church Society condemning such a practice. He regretted to say, that too many of those connected with this matter had used their utmost endeavours to prevent the colonisation of New Zealand. In the course of the present discussion the House had heard many and warm praises of the natives of the colony; but he could not help saying that he thought the aborigines had been praised rather too much—they certainly were a fine people, an acute race; they readily received the habits of civilisation: that they easily assimilated to Englishmen there could be no doubt; that as labourers they kept their time; that they were sober—

nay, that they had sufficient of the principle of union in them to form a sort of joint-stock company for the purpose of carrying on a water-mill; but still they were quite overpraised. No doubt they would progress if they were let alone, and that the Governor was let alone; but to talk of their humane qualities, and of their humanity in war, was going too far. Ought it not to have been well known to Gentlemen who spoke in that strain that the body of a British officer killed in the war had been mutilated for the purposes of cannibalism? He had in his hand a communication, on the authority and accuracy of which he placed full reliance, stating that a woman and four children had been barbarously murdered by natives of New Zealand; that her body also had been mutilated for the purposes of cannibalism; and that a portion of it had been eaten. Still he did not deny that, all things considered, they were a fine set of people; and, if left to the management of Governor Grey, he had no doubt that the colony would be of great advantage to this country. He was rejoiced, then, to find a Bill introduced for the purpose of giving municipal charters to the settlers in New Zealand. He hailed it as an improvement, and he yielded freely to the arguments and reasonings of Governor Grey. As to the New Zealand Company, he could not help saying, as he had done upon former occasions, that their proceedings had been very much misconceived. No Bill designed for the purpose of making them legislators had ever been introduced—at least as far as his knowledge went, he could say that nothing of the sort had been attempted. The Company never had assumed, or wished to assume, the character of legislators, or that of governors; and as to the Commissioner, he was not to go to New Zealand—he was to sit in London and nowhere else, and his functions were to continue so long as any debt remained due by the Company to the Government. He had heard it said that strong powers were given to the Governor; but he contended that that confidence was not misplaced. For his part, he thought the right hon. Gentleman was right in giving that power.

Sir E. BUXTON rose for the single purpose of saying that, in his opinion, the Bishop of New Zealand, whether he were a good or a sensible man, or the direct contrary, as had been represented by the hon. Member for Montrose, had, at all events, in this instance, done his duty, and nothing but his duty. It appeared to him that the Bishop of New Zealand, whether he were right in judgment or not, had evidently come to the conclusion that Her Majesty's Ministry had an intention of doing something which would injure the people of New Zealand, and practically trample upon the great treaty with that island. He quite agreed with the Bishop that that treaty should be maintained. It could not be denied that the New Zealand Company was opposed to the independence of the people of New Zealand. It could not be denied that they had done all in their power to violate the Treaty of New Zealand; but a good Providence had hitherto prevented from from doing so. He thanked God that the Bishop of New Zealand was in that country, and that they had grounds for hoping that, by his exertions and exhortations, the New Zealand Company would be prevented from having it all their own way. He would express no opinion as to whether the Bishop had acted too hastily. The Bishop might have formed his opinion upon erroneous grounds; but that was not the point on which he had been arraigned that evening. He had been arraigned for interfering, whether rightly or wrongly, in the political affairs of New Zealand. He was convinced that the Bishop was right; he was quite satified that he had done no more than a Christian bishop should do, viz., tell his people that they had rights—that those rights were about to be taken from them—and that they ought to prevent such taking place by every mode which the constitution allowed them to avail themselves of. If a bishop in England had acted in similar circumstances as had the Bishop of New Zealand, he would not have been blamed.

Mr. PLUMPTRE did not think that it was right to cast such severe censure as had been that night cast indiscriminately upon such a deserving body of men as the missionaries of New Zealand. Hon. Members had complained as to their having taken too many acres of land; but it should be recollected that those excellent men had large families growing up around them whom they had to maintain; they were far removed from their friends and native home, and it was, therefore, necessary that they should have farms for the support of themselves and families. [An Hon. Member: Six thousand acres.] It should be recollected that 6,000 acres of New Zealand land would not be worth as many acres of land in England. He thought

that the missionaries were entitled to some consideration, when they took into consideration the many sacrifices which they had willingly borne for the purpose of benefiting their fellow-creatures.

Mr. LABOUCHERE, in reply, was called upon to advert to one or two questions which had been adverted to in the course of the debate, and to which he had not alluded in his opening address. The first of these he approached with the utmost regret—it was the conduct of the Bishop of New Zealand. He had not the honour of having any personal acquaintance with that right rev. Prelate; but from all he had heard of him he could assure the House that there was no personal friend of his, and no Gentleman who had spoken to-night in commendation of the right rev. Prelate, who was more firmly persuaded than he was that the right rev. Prelate was incapable of doing anything which in his opinion was contrary to the dictates of religion; and that if he were in fault now it must be ascribed to a mistake, and not to any improper motives. But he begged to remind the House of the way in which this question had come before them. The Bishop of New Zealand had addressed a formal communication to the Governor of the colony, with the expression of a desire that it should be transmitted to the Secretary of State for the Colonies; and in that communication he announced his intention, in consequence of what he believed to be a diversity of sentiment between him and the Executive Government of the colony on that which was the nicest and most delicate of all possible subjects, and which had already produced bloodshed enough, namely, the possession of land, "God being his helper," to use all legal and constitutional measures befitting his station to inform the natives of New Zealand of their rights and privileges as British subjects, and to assist them in asserting and maintaining those rights and privileges, whether by petition to the Imperial Parliament, or by other legal and desirable means. The Bishop added, that he had further to request that this communication should be transmitted to the Colonial Secretary. Now, this was obviously an announcement, a warning to the Government, that he was about to inform the aboriginal inhabitants of New Zealand that he differed from the Executive Government upon this subject, and that he should excite them to petition the Crown or the Parliament. He (Mr. Labouchere) must say that he entirely agreed with his noble Friend at the head of the Colonial Office, that this was a most unfortunate step on the part of the Bishop; and being responsible for the peace, welfare, and prosperity of the colony, he conceived that it would have been impossible for his noble Friend to refrain from expressing, as he had done, in temperate and respectful, but at the same time firm and decided language, such as was due to himself and the station he held, his deep concern and regret that the Bishop should have made that announcement. For his part, he was ready and willing to share the responsibility with his noble Friend. He had come to the same conclusion that his noble Friend had arrived at, and he thought it had been expressed in firm and proper language. He thought, also, that the communication was a formal announcement on the part of the Bishop that he was about to begin a course of agitation among the natives of New Zealand. Now, really when a man, engaged in the performance of the sacred functions of a bishop, went among the natives of New Zealand, exhorting them to petition the Crown on the subject, what was that, he should like to know, but agitation? He could only say that it appeared to him to be a most ill-advised course on the part of the Bishop, and that Earl Grey could not have done otherwise than state his disapprobation of such conduct. The right hon. Gentleman (Mr. Gladstone) had asked whether any other documents had arrived from the colony in regard to this subject; and especially if Governor Grey had expressed any opinion on his communication of the Bishop in transmitting it home? In reply, he begged to say that the whole of the communications from New Zealand to the Colonial Office had been laid upon the table of the House; that, in fact, there was no other paper upon the subject. Another point to which the right hon. Gentleman (Mr. Gladstone) had adverted was the abstract opinion expressed by Earl Grey, and on which the Bishop commented, relative to the tenure of land in the colony. The Bishop referred to this opinion as if it had been given in the most unqualified manner, and without any restriction whatever. But if the right hon. Gentleman looked at the papers, he would find that it was scarcely possible to have guarded any acquired rights of the natives more scrupulously than his noble Friend had done. His noble Friend distinctly said, that whilst he

laid down what he considered the better principle, he endeavoured carefully to guard against being supposed to enforce it as applicable to the present state of New Zealand; and he believed that he had succeeded in doing so; that he expressly stated that he was not in a position to act on that principle; that from past transactions a state of things had arisen in which its strict application could not be enforced; and that he had directed in the strongest language that the rights of the natives in lands already recognised should be maintained. He did not think that the Bishop was justified in the conduct which he had pursued. There was only one more subject to which he wished to advert. The hon. Member for Liverpool (Mr. Cardwell) seemed to say that he regretted to find that even the approach to municipal institutions in New Zealand had been retarded. Now, so far was this from being the fact, that municipal institutions had been put into operation; and the only change which had been made was in the sense of an enlargement of the principle. It was intended to increase the municipal franchise to the aboriginal natives within the precincts of these districts, by empowering the Governor to give certificates of the parties to enjoy this right. He had been asked whether he should propose any further matters connected with this question till after the recess. He certainly thought that no time should be lost; he thought that these details might lead to a protracted discussion; but it would be better, perhaps, to have no discussion now. He could not doubt that the suspension for a limited period of the constitution of New Zealand was a principle which would generally be affirmed. He proposed that that Bill should be read a second time on Monday next, by which time the Bill would be printed, and sent out to the colonies as having received the sanction of the House of Commons. He hoped this would meet the views of the right hon. Gentleman.

VISCOUNT CLIVE did not think that any Member had a right to say that the Bishop of New Zealand had agitated the people of New Zealand, because there was no paper to show that this was the fact. With regard to the question of land, the hon. and learned Member for Cockermouth showed a great difference in his domestic and colonial policy. In the case of enclosing lands in England, the hon. Member evinced the most profound respect and solicitude for the rights of the people; but when, in a colony, the question was as to a new company coming into the country, and taking possession of the land, and any dispute arising between them and the natives, then the hon. Gentleman held that it was a great pity that the Bishop should have informed these natives of what were their rights as British subjects. Now he thought it was but fair to the natives that the Bishop, as the representative of the Clergy, not being a paid servant of the Crown, should act as the Bishop had acted.

The EARL of ARUNDEL AND SURREY could not see why a bishop, when he thought that a portion of his flock were about to be or were likely to be oppressed, should not petition the Government in defence of their rights.

Bill to be brought in.

COMMERCIAL DISTRESS—COMMITTEE.

The CHANCELLOR OF THE EXCHEQUER said, he rose to move that the Committee to inquire into the causes of the late commercial pressure and distress, should consist of twenty-six Members. There were reasons, perhaps, why he should name a smaller number; but as it was necessary to constitute a Committee of persons of different opinions, he must ask permission of the House to allow the number to be increased to twenty-six. That was the number of the Committee on the Bank Charter, &c., in 1841. He therefore proposed that the Committee should consist of the following twenty-six Members:—The Chancellor of the Exchequer, Sir Robert Peel, Lord John Russell, Lord George Bentinck, Mr. Herries, Mr. Goulburn, Mr. Alderman Thompson, Mr. Labouchere, Sir James Graham, Mr. Francis Baring, Mr. Thomas Baring, Mr. Cobden, Mr. Spooner, Mr. William Beckett, Mr. Cayley, Mr. Cardwell, Mr. Hudson, Mr. Hume, Mr. Ricardo, Mr. Glyn, Sir William Clay, Mr. Disraeli, Mr. Thornely, Mr. James Wilson, Mr. Home Drummond, and Mr. Tennant.

The question having been put,

MR. HUME had hoped to have had time to show the reasons why the House ought to dispense with this Committee altogether. He believed there was not a man in the City who had seen what was passing elsewhere, who did not think that the appointment of this Committee would be a mere cloak; and as there was no chance of the Committee sitting till after the recess, he hoped the House would consent to postpone the nomination of the

Committee. He thought it wrong to have more than fifteen Members to elucidate the question at issue. There was no reason to appoint the Committee—they had ample information on the subject, as had been stated by the right hon. Baronet the Member for Tamworth on a former occasion. They had had Committees in 1832 and 1836, both of which went fully into the subject. There were about 8,000 questions contained in the reports of the Committees of the last years; in 1840 and 1841 there were 6,700 questions; making between 13,000 and 14,000 questions and answers. The question itself was exhausted. The decision of a Committee would not alter the general wrong in attempting to carry on a monetary system, which system was based on the Bank carrying on its business without capital. The Bank, as the first and largest institution, was supposed to discount for other bankers and for the commercial world, when they had not a shilling to do it with—when they had nothing but credit, as dealing with deposits. This country was worse off by 250,000,000*l.* in the value of property than it was in the beginning of the year. All the evils which had arisen were owing to our having the Bank founded on wrong principles. The hon. Gentleman concluded by moving as an Amendment that the debate be adjourned.

COLONEL SIBTHORP begged to second the Motion of the hon. Member for Montrose, with whom it certainly did not often fall to his lot to agree. This was a piece of what he would call Government deception. To have twenty-six on a Committee, the Chancellor of the Exchequer admitted was an unprecedented number. Whenever this Committee should be nominated and commence its deliberations—whenever that occasion should arise—it would only show the total unfitness of Her Majesty's Government to deal with the subject. He was sorry he must include under that category his own relative. Therefore he could not be accused of being actuated by any partial feelings, for he did not spare his relative when he thought he was wrong, however honestly he might be inclined, if he were incapable of discharging the duties which he undertook. They were to adjourn on Monday next, until the 3rd of February. Why should they adjourn at all, if called at an unusual period? He said let them remain. He said that the Government was afraid to meet the difficulty. It was a packed jury that was prepared to do the business of the Government; and for himself he said that he objected to several of the six-and-twenty names.

The CHANCELLOR OF THE EXCHEQUER said, that what he proposed was to name the Committee now; that the Committee should then meet and determine what documents should be called for; and having so determined they might be in possession of these documents when they did meet after the recess.

MR. EWART observed, that the question of a free trade in banking was not then before them. The question was, what was to be done at the present moment; and this, he said, might be determined without referring to a Committee. He believed that the practical result of their inquiry would be the appointment of two additional Directors of the Bank, one of them having a seat in that House.

MR. FORBES remarked, that there was a strong feeling amongst the Scotch Members that their country was not fairly treated in this matter. He wished that the Member for Glasgow should be appointed on the Committee; and, if the Motion of the Chancellor of the Exchequer were carried, he should propose that the Committee should consist of twenty-seven Members.

MR. HERRIES concurred with the hon. Member for Montrose that the proposed Committee would not answer the objects for which it was professedly designed. He thought that, so far as inquiry was concerned, the subject had been exhausted by former Committees on similar subjects. It was now proposed that the Committee of Inquiry should consist of twenty-six Members. It was an unfortunate example they had selected. It was undoubtedly the Committee which had put the largest number of questions, and elicited the largest number of answers, and that was the best that could be said of it. But what did that Committee produce? There was no report—no statement—no, not an opinion. Perhaps they had not time. Well, they sat for two years. What, then, did that Committee, selected as a model for this one, in reality produce? Why a mere registry of questions and answers. It was apparently appointed, no doubt, like this, for the purpose of devising some scheme; but, if so, it proved utterly and entirely abortive. At the close of two years, he repeated, that Committee gravely proceeded to lay before the House a series of questions and answers, without offering

the slightest opinion. Was the result to be the same in this instance? and was the House really prepared, after all their experience, after witnessing the results of these different Committees on banking affairs, to engage again in the same endless and unprofitable inquiry? And, above all, was the House prepared, in such an emergency as the present—without offering any opinion, without adopting any measure to relieve the public apprehension, without suggesting any course calculated to be useful, or even to allay the fears of the public mind—to launch again into the sea of inquiry? He could not avoid saying that he thought it would appear to the public as if Government and the House wished, by the appointment of this Committee, to evade the question—that they were indisposed to come to a decision upon this most important subject. Well, but it might be said that they had already agreed to go into a Committee of Inquiry: he admitted the fact; but he might add that it was not with his consent. The House could not now negative the course it had resolved upon, and therefore he supposed hon. Gentlemen opposite would say the time was past for discussion. But in his opinion, it was a very proper time for any Member to discuss the utility of such a Committee. At all events, he would not shrink from the expression of his opinion; and he avowed his conviction that the appointment of this Committee would lead to no satisfactory result. What was more, he did not think the Committee was so constituted as to give satisfaction either to the House or to the public. When he saw the various names of which a majority of that Committee was composed, he did not think there would be that confidence amongst men of different opinions as to its impartiality. Upon this latter ground he would recommend the Government to postpone the consideration of this question. He would not now have them fix upon twenty-six as the number of which the Committee should be composed, or that all the individuals nominated should remain. The Chancellor of the Exchequer had done him the honour of putting his name upon it. He begged to be excused from the difficult, onerous, and, as he believed, useless task, and would be glad to see any person more competent put in nomination. If the hon. Member for Montrose would persist in his Motion, and if the Government refused to postpone the appointment of the Committee, he must say he would vote with the hon. Gentleman against the Government.

The House divided on the question that the debate be adjourned:—Ayes 57; Noes 146: Majority 89.

List of the AYES.

Anstey, T. C.	Hildyard, R. C.
Arkwright, G.	Jolliffe, Sir W. G. H.
Baring, T.	Lockhart, W.
Bentinck, Lord G.	Lowther, H.
Blewitt, R. J.	M'Naghten, Sir E.
Bremridge, R.	Masterman, J.
Broadley, H.	Morgan, O.
Broadwood, H.	Muntz, G. F.
Cayley, E. S.	Mure, Col.
Clive, Visct.	O'Flaherty, A.
Coles, H. B.	Osborne, R.
Deering, J.	Pilkington, J.
Disraeli, B.	Renton, J. C.
Duff, G. S.	Reynolds, J.
Duncan, G.	Rufford, F.
Edwards, H.	Scott, hon. F.
Ewart, W.	Scully, F.
Fagan, W.	Seeley, C.
Ffolliott, J.	Smith, J. B.
Forbes, W.	Smollett, A.
Fordyce, A. D.	Stanley, E.
Forster, M.	Stuart, J.
Greene, J.	Urquhart, D.
Grogan, E.	Wakley, T.
Hall, Sir B.	Walsh, Sir J. B.
Harris, hon. Capt.	Wawn, J. T.
Hastie, A.	Williams, J.
Hastie, A.	TELLERS.
Henley, J. W.	Hume, J.
Herries, rt. hon. J. C.	Sibthorp, Col.

List of the NOES.

Abdy, T. N.	Colebrooke, Sir T. E.
Adair, R. A. S.	Corry, rt. hon. H. L.
Aglionby, H. A.	Craig, W. G.
Anderson, A.	Devereux, J. T.
Arundel and Surrey, Earl of	Drummond, H.
Baines, M. T.	Duke, Sir J.
Baring, rt. hon. F. T.	Duncuft, J.
Barrington, Visct.	Dundas, Adm.
Beckett, W.	Dundas, Sir D.
Bellew, R. M.	Dunne, F. P.
Berkeley, hon. Capt.	Ebrington, Visct.
Birch, Sir T. B.	Elliot, hon. J. E.
Blackall, S. W.	Evans, W.
Blake, M. J.	Ferguson, Sir R. A.
Bouverie, E. P.	Fitzpatrick, J. W.
Bowring, Dr.	Fortescue, C.
Boyle, hon. Col.	Fortescue, hon. J. W.
Brotherton, J.	Fox, R. M.
Brown, H.	Fox, W. J.
Bunbury, E. H.	Gibson, rt. hon. T. M.
Buxton, Sir E. N.	Gladstone, rt. hn. W. E.
Campbell, hon. W. F.	Glyn, G. C.
Cardwell, E.	Goulburn, rt. hon. H.
Carew, W. H. P.	Gower, hon. F. L.
Carter, J. B.	Grace, O. D. J.
Clay, J.	Grattan, H.
Clements, hon. C. S.	Greene, T.
Clerk, rt. hon. Sir G.	Gregson, S.
Clifford, H. M.	Grenfell, C. W.
Cocks, T. S.	Grey, rt. hon. Sir G.
	Haggitt, F. R.

Hallyburton, Lord J. F.	Pigott, F.
Hardcastle, J. A.	Plumptre, J. P.
Headlam, T. E.	Raphael, A.
Heathcote, Sir W.	Rawdon, Col.
Heywood, J.	Ricardo, O.
Hodges, T. T.	Rich, H.
Howard, hon. C. W. G.	Russell, Lord J.
Hutt, W.	Russell, F. C. H.
Jervis, Sir J.	St. George, C.
Jervis, J.	Salwey, Col.
Keating, R.	Sandars, G.
Keppel, hon. G. T.	Seymer, H. K.
Labouchere, rt. hon. H.	Smith, rt. hon. R. V.
Langston, J. H.	Smith, J. A.
Lascelles, hon. W. S.	Somerville, rt. hn. Sir W.
Lewis, G. C.	Spearman, H. J.
Lincoln, Earl of	Spooner, R.
Lindsay, hon. Col.	Strutt, rt. hon. E.
Lockhart, A. E.	Stuart, Lord D.
Mahon, The O'Gorman	Talfourd, Serj.
Maitland, T.	Tancred, H. W.
Marshall, J. G.	Tenison, E. K.
Marshall, W.	Thicknesse, R. A.
Martin, S.	Thompson, Col.
Matheson, Col.	Thornely, T.
Maule, rt. hon. F.	Townley, R. G.
Melgund, Visct.	Turner, G. J.
Mitchell, T. A.	Verney, Sir H.
Moffatt, G.	Walmsley, Sir J.
Monsell, W.	Watkins, Col. L.
Morpeth, Visct.	West, F. R.
Mostyn, hon. E. M. L.	Westhead, J. P.
Mulgrave, Earl of	Willcox, B. M.
Nugent, Sir P.	Willoughby, Sir H.
O'Brien, Sir L.	Wilson, J.
Ogle, S. C. H.	Wilson, M.
Paget, Lord A.	Wood, rt. hon. Sir C.
Paget, Lord C.	Wood, W. P.
Paget, Lord G.	Wyld, J.
Palmer, R.	Wyvill, M.
Parker, J.	Young, J.
Pearson, C.	TELLERS.
Peel, rt. hon. Sir R.	Hill, Lord M.
Peel, Col.	Tufnell, H.

Original question again proposed,

LORD G. BENTINCK said: Sir, I am not disposed to resist the feeling of the House; but on this occasion, I am confident I speak the sentiments not only of a great many commercial Members in this House, but of the whole commercial country out of it, when I say that the constitution of this Committee will not be satisfactory to the House or to the country. It has been observed—and, perhaps, justly—that the Committee is already very large in point of numbers. Perhaps it might be better constituted upon a more reduced scale. But it is an invidious thing to strike out the names of any Gentlemen already put forward; and as I do not wish to do anything in any degree invidious, or which might prove hurtful to the feelings of any hon. Member, the only recourse I have is to propose that other names should be added in order to equalise the Committee. Now, in the first instance, there stand upon it the names of no less than eight Members of the present and late Governments. It is perfectly well known, both in this House and out of it, that those eight Members will be banded together as one man, in order to maintain their opinions upon the Bank Charter Act. On a former occasion I observed that there is one most remarkable exclusion in the nomination of this Committee, and that is, that every Member who opposed the Bill in 1844 has been carefully omitted. Now, Sir, if any Member more than another ought to be nominated on this Committee, it should be those who, in 1844, when opposing the Bill then passed, predicted that every circumstance would arise which has arisen—that every consequence would follow that has followed the passing of that Bill. All those predictions have been fulfilled within the last six months; but the men who had the foresight to predict them, are assiduously excluded. I might particularly remark upon the exclusion of my hon. Friend the Member for Oxfordshire (Mr. Henley), to whom all sides of the House will be ready to give credit for strong-minded views of every measure which comes before him. My hon. Friend predicted the consequences which would follow from the working of this Bill. I must also observe of the hon. Member for Paisley (Mr. Hastie), who, with almost prophetic vision, foretold exactly the events which have come to pass: he said that upon the very first occasion of a drain of gold by a demand for foreign corn, that the Bill would fail. The hon. Gentleman is not of my party: I cannot number him among my friends; but it must be admitted that there is no Gentleman in the House who pays more attention to commercial questions, or who has been instrumental in procuring more valuable returns on all commercial subjects, than the hon. Member for Paisley. And how is Scotland represented? Scotland, which feels so deep an interest in this question, is represented in this Committee by two Members only. The West Riding of Yorkshire has three Members upon it; Scotland two. I must express my surprise that not a single commercial Member connected with Scotland is placed on the Committee. The hon. Member for Montrose is one of the Scotch Members so nominated, and the hon. Member for Perthshire the other. The hon. Member for Perthshire in connected with the Charter Bank in Scotland; but there is no Member

in any way connected with the joint-stock banks in Scotland, and none with the commercial interest. Therefore, I must say that Scotland has just reason to be discontented with the constitution of this Committee. How is Ireland treated? Ireland, with 105 Members, is only permitted to have one Member on this Committee; and though, I doubt not, the hon. Member for Belfast (Mr. Tennant) is perfectly competent, and that he represents the commercial interests of the North of Ireland, I believe he has had no practical knowledge of banking in that country, and that, if he represents any banking interest at all, it is the existing monopoly in Belfast. I think, therefore, that Ireland is ill represented on this Committee, and has a just demand for additional Members. There is one hon. Gentleman, the Member for the city of Dublin (Mr. Reynolds), who is perfectly conversant with this question. He has been put upon his defence by the right hon. Baronet the Member for Tamworth, and I think it only reasonable that that hon. Gentleman should have a seat on the Committee. But, at all events, a large number of the Members of the House are of opinion that neither Ireland nor Scotland are sufficiently represented. Many think that Lancashire ought to have been better represented; and there are those, too, who are of opinion that the Bank of England has also been overlooked. The Bank of England is to be put upon its defence; and, with the exception of the hon. Member for Westmoreland, it is not represented. I observe that the hon. Member for Finsbury proposes to add the name of the hon. Member for Birmingham (Mr. Muntz). Well, I must say, that that Gentleman has been long distinguished for the prominent part he has taken in those matters. He is also well known to those who have been members of previous Committees for the shrewdness with which he can cross-examine a bullionist theorist. But perhaps that is the reason why he has been excluded. If we permit the Committee to be constituted in this way, the whole country will say that they can write the report of the Committee before it is adopted. Under these circumstances, and not wishing, as I twice already stated, to make any invidious distinctions by leaving out any of the present number, all I can do is to propose that the word "twenty-six" be omitted from the proposition, and that "thirty" be substituted in its stead.

The CHANCELLOR OF THE EXCHEQUER said, he felt bound to resist the Motion of his noble Friend, because if they added to the number of the Committee, they would go far to verify the prediction of those who said no good could result from its appointment. The smaller the number forming a Committee the more likely was itto do good; and he had very reluctantly acquiesced in so large a number as twenty-six; but the importance of the case demanded it—nor was he without precedent for it. He would not go into the question of names, the only question before the House being the number which should constitute the Committee. He could assure his noble Friend and the House that he had had no wish to prevent any great interest from being properly represented in the Committee; and on looking at the names proposed he was sure no one would say that the opponents of the measure of 1844 were not adequately and fully represented.

Mr. T. BARING said, if he understood the right hon. Gentleman rightly, Her Majesty's Government had no plan of their own to lay before the House, and, therefore, they wished to throw the whole of their proper responsibility upon the labours of the Committee. Now what result could be expected from a Committee of twenty-six, who were not at all likely to agree to any report? The only result would be, that a great mass of evidence would be taken and presented to the House. He would suggest to the right hon. Gentleman the Chancellor of the Exchequer, whether a smaller Committee might be named, say of the eight Members on the list who belonged to the late and present Government, and who supported the Act of 1844. He would have them inquire into the working of that Act, and be responsible for the evidence taken, and the report they might make. He believed the examination of witnesses would be more practical by such a Committee—their report would be more speedily made—and the House would have an opportunity before the end of the Session of proposing a remedy if the Government should fail to propose one.

The House divided on the question that the word "twenty-six" stand part of the question:—Ayes 136; Noes 45: Majority 91.

List of the Ayes.

Abdy, T. N.	Anson, hon. Col.
Adair, R. A. S.	Arundel and Surrey, Earl of
Aglionby, H. A.	Baines, M. T.
Anderson, A.	

Baring, rt. hon. F. T.	Lincoln, Earl of
Beckett, W.	Lindsay, hon. Col.
Bellew, R. M.	Lockhart, A. E.
Berkeley, hon. Capt.	Mahon, The O'Gorman
Birch, Sir T. B.	Maitland, T.
Blackall, S. W.	Marshall, J. G.
Blake, M. J.	Marshall, W.
Bouverie, E. P.	Martin, S.
Bowring, Dr.	Matheson, Col.
Boyle, hon. Col.	Maule, rt. hon. F.
Brotherton, J.	Melgund, Visct.
Brown, H.	Mitchell, T. A.
Bunbury, E. H.	Morpeth, Visct.
Buxton, Sir E. N.	Mostyn, hn. E. M. L.
Campbell, hon. W. F.	Mulgrave, Earl of
Cardwell, E.	Nugent, Sir P.
Carew, W. H. P.	O'Brien, Sir L.
Carter, J. B.	Ogle, S. C. H.
Clay, J.	Paget, Lord A.
Clements, hon. C. S.	Paget, Lord C.
Clerk, rt. hon. Sir G.	Paget, Lord G.
Clifford, H. M.	Palmer, R.
Cocks, T. S.	Parker, J.
Colebrooke, Sir T. E.	Pearson, C.
Corry, rt. hon. H. L.	Peel, rt. hon. Sir R.
Craig, W. G.	Peel, Col.
Drummond, H.	Pigott, F.
Duke, Sir J.	Pilkington, J.
Duncuft, J.	Plumptre, J. P.
Dundas, Adm.	Raphael, A.
Dundas, Sir D.	Rawdon, Col.
Dunne, F. P.	Ricardo, O.
Ebrington, Visct.	Rich, H.
Elliot, hon. J. E.	Russell, F. C. H.
Evans, W.	Salwey, Col.
Ferguson, Sir R. A.	Smith, J. A.
Fitzpatrick, J. W.	Somerville, rt. hon. Sir W.
Forster, M.	Spearman, H. J.
Fortescue, hon. J. W.	Strutt, rt. hon. E.
Fox, R. M.	Stuart, Lord D.
Fox, W. J.	Talfourd, Serj.
Gibson, rt. hon. T. M.	Tancred, H. W.
Gladstone, rt. hn. W. E.	Tenison, E. K.
Glyn, G. C.	Tennent, R. J.
Goulburn, rt. hon. H.	Thicknesse, R. A.
Gower, hon. F. L.	Thompson, Col.
Grace, O. D. J.	Thornely, T.
Greene, T.	Townley, R. G.
Gregson, S.	Turner, G. J.
Grenfell, C. W.	Verney, Sir H.
Grey, rt. hon. Sir G.	Walmsley, Sir J.
Haggitt, F. R.	Watkins, Col. L.
Hall, Sir B.	West, F. R.
Hallyburton, Lord J. F.	Westhead, J. P.
Hardcastle, J. A.	Wilcox, B. M.
Headlam, T. E.	Williams, J.
Heathcoat, Sir W.	Wilson, J.
Heywood, J.	Wilson, M.
Hodges, T. T.	Wood, rt. hon. Sir C.
Howard, hon. C. W. G.	Wood, W. P.
Hutt, W.	Wyld, J.
Jervis, Sir J.	Wyvill, M.
Jervis, J.	Young, J.
Keppel, hon. G. T.	TELLERS.
Labouchere, rt. hon. H.	Tufnell, H.
Lascelles, hon. W. S.	Hill, Lord M.

List of the NOES.

Anstey, T. C.	Broadwood, H.
Arkwright, G.	Cayley, E. S.
Barrington, Visct.	Clive, Visct.
Bentinck, Lord G.	Coles, H. B.
Blewitt, R. J.	Deering, J. P.
Devereux, J. T.	O'Flaherty, A.
Disraeli, B.	Osborne, R.
Edwards, H.	Renton, J. C.
Fagan, W.	Reynolds, J.
Forbes, W.	Rufford, F.
Greene, J.	St. George, C.
Harris, hon. Capt.	Sandars, G.
Hastie, A.	Scott, hon. F.
Hastie, A.	Scully, F.
Henley, J. W.	Seymer, H. K.
Herries, rt. hon. J. C.	Smyth, J. B.
Hildyard, R. C.	Smollett, A.
Jolliffe, Sir W. G. H.	Stanley, E.
Keating, R.	Wakley, T.
Lockhart, W.	Walsh, Sir J. B.
M'Naghten, Sir E.	Wawn, J. T.
Masterman, J.	TELLERS.
Muntz, G. F.	Spooner, R.
Mure, Col.	Stuart, J.

Original question again put.

MR. FORBES objected to the Committee, and moved that the debate be now adjourned.

The CHANCELLOR OF THE EXCHEQUER reminded the hon. Member for Stirlingshire that his objections were to the names of individuals, while the question before them was simply whether the Committee should consist of twenty-six Members? He trusted, therefore, the hon. Gentleman would not persist in his Motion of adjournment.

LORD G. BENTINCK apprehended that by the forms of the House no new names could be inserted without notice; and that, unless the debate were adjourned, it would not be competent to the House to reconstitute the Committee.

The CHANCELLOR OF THE EXCHEQUER: You may propose any names you choose.

LORD G. BENTINCK would have preferred a smaller number, if the Committee had been fairly constituted. It was, as he had said before, to the constitution of the Committee which he objected. He objected to such a great number of placemen and ex-placemen being upon it. The city of London was not fairly represented in the list of names before the House. It was true the name of the noble Lord at the head of the Government, and the name of the hon. Baronet the Member for the Tower Hamlets, were upon it; but when it was considered that so much difference of opinion existed in the City on this question, surely some other Members, whose opinions differed from those entertained by the noble Lord and the hon. Member, ought also to be included in the Committee. He would support the Motion for an adjournment.

The CHANCELLOR OF THE EXCHE-

QUER said, the question before the House was, that the Committee should consist of twenty-six Members. When that question was decided, it would be competent for the noble Lord to move the substitution of any other names for those which he already suggested. The most convenient course would be to take the questions in their order.

MR. WAKLEY would certainly vote for the adjournment of the debate. He thought that the House and the Government were at present placed in a very unfortunate position. Parliament had been called together on the 23rd of November, for the purpose, as it was stated, of taking into consideration the question of commercial distress; and they were now, at the end of three weeks, told that a Committee was to be appointed to examine into the subject, and that all legislation was to be postponed till February. Now, he thought that in such an emergency the Government ought to have been prepared to take a more decided and a more active course. But if the proposed plan was to be acted upon, there was, in his opinion, not the slightest chance of having any measures of relief in this or even in the next Session of Parliament. He complained that there was only one manufacturer's name on the list of the Committee—the name of Mr. Alderman Thompson. [*Cries of* "Mr. Cobden."] Mr. Cobden was no longer in business; and he believed that Mr. Alderman Thompson's name was proposed, not because he was a manufacturer, but because he was a Bank Director. It was plain to him that the Government knew no more of the condition of the small tradesmen and the middle classes of the country than they did of what was taking place in Siberia, else they would act differently. They did not propose the name of any Member connected with the silk trade, the cotton trade, or the woollen trade; and yet the Committee was to inquire into the cause of the commercial distress in the country. The conduct of the Government appeared to be absurd in that respect; he was sure that they could not have reflected before they put forward the names proposed to be placed on the Committee. He should be glad to know why Mr. Muntz's name was excluded? He had a thorough practical knowledge of the subject; he had spoken upon it in 1844 and in 1846; and what he then prophesied as the result of the Banking Act had actually come to pass. It was an invidious thing for the House to be called upon to exclude a name which the Government had proposed; but he must say that the right hon. Gentleman the Chancellor of the Exchequer ought to consent to the postponement suggested, in order that he should have an opportunity of reconsidering the subject, and seeing if he could not replace some of the names with others in which the working millions of this country had more confidence. He had lately been considering the question of the currency, and his opinions with respect to it had undergone a change. He was now convinced that the present system could not last, and that if it was not soon altered, great confusion would be the consequence. It was not right, nor was it natural, that we should have free trade in everything except money. Eighteen out of the twenty-six whose names were proposed to serve on the Committee had, it was well known, their minds made up on the question. That was extremely objectionable, and he trusted, therefore, that the Government would give way, and defer the appointment of the Committee to another night.

The CHANCELLOR OF THE EXCHEQUER believed that he did not state clearly what he intended before he last sat down. He was anxious not to say anything calculated to excite angry feelings. The House had already decided that a Committee should be appointed, and that it should consist of twenty-six members. He did not wish to proceed with the naming of the Committee to-night: he proposed to name the members to-morrow; and, in the meantime, the noble Lord or any other hon. Member might give notice of their intention to propose the substitution of other names.

MR. SCOTT wished that Scotland should be fairly represented in the Committee; but he agreed with the hon. Member for Finsbury that it would be invidious to exclude any name which had been placed on the list by the Government. He conceived that a Committee constituted as the present one would not give satisfaction to the people of Scotland, as the report which they would be likely to give might be of a partial character.

An HON. MEMBER expressed his opinion that the Motion of the hon. Member for Finsbury ought to be supported, because all the different views entertained on the present subject, of which no less than five or six existed in this country, were not

sufficiently represented in the proposed Committee,

SIR G. GREY could see no advantage that could be gained by an adjournment of the debate, inasmuch as the House had already decided that the number of the Committee was to be twenty-six. They might discuss the question of any nomination of members on a future day.

MR. REYNOLDS agreed with the noble Lord the Member for Lynn that Ireland, which had suffered so much from ill-regulated systems of banking, was not properly represented on the proposed Committee; but at the same time he thought they might agree to the number without naming the Committee. If the Motion for adjournment, however, were pressed, he would vote for it.

MR. DISRAELI said, the difference between them was not so trifling as the hon. Gentleman seemed to think. He agreed with the noble Lord that it was inexpedient to dispose of such a question at the fag-end of a debate, and at an unexpected moment, when many hon. Gentlemen had left the House, thinking that no decision would have been come to, as it had not been come to at an earlier period on that which was, in fact, the main point of the Bill. The point in question had not been settled, and he wished to impress that fact upon the Government.

MR. OSBORNE begged to move that the name of Mr. Hume be omitted from the Committee, and that of Mr. Reynolds substituted for it.

MR. CAYLEY said, the real question at issue was, whether the Committee was to be a fair one or not? for it should be borne in mind that there never had been a fair Committee on this subject. The Chancellor of the Exchequer had, in point of fact, moved the appointment of the Committee who sat in 1841 on the Bank Charter. The present was not a Bank Charter question. It was, he apprehended, intended to be an inquiry into the commercial distress. He considered the proper plan to adopt would be to follow the usual judicial course, and reject the Committee of 1841 as the very last persons who ought to be nominated to sit in judgment on their own delinquencies. The composition of the Committee appeared to him to be this. There were twelve or thirteen Members of it in favour of the Government, six or seven followers of the right hon. Baronet opposite (Sir Robert Peel), and six adherents of the noble Lord the Member for Lynn. This was making the question one of party. [The CHANCELLOR of the EXCHEQUER intimated dissent.] The Chancellor of the Exchequer said it was not; and if it was not, surely the whole question resolved itself into this—"who did or who did not support the Act of 1844?" In his opinion, the fair way would be to let one-half of the Committee be nominated by those who approved of the Act of 1844, and the other half by those who opposed it. Let it be remembered that this was a question upon which the leaders of both parties expressed the greatest confidence; but they showed that confidence by never proposing a committee of inquiry until they had two to one in favour of their own views. He believed the Committee was not fairly nominated, and he would support the Motion for adjournment in order that other names might be proposed.

CAPTAIN HARRIS appealed to the right hon. Gentleman to consent to the debate being adjourned for the purpose of considering the reconstruction of the Committee.

The CHANCELLOR OF THE EXCHEQUER said, he thought he had stated before that he did not intend to press the nomination of the Committee to-night. He had already said that it would be perfectly open to any hon. Gentleman to propose any Member he pleased to serve on it. He declared most solemnly that the names he had mentioned to sit on that Committee, as far as he could form an opinion, were as fairly selected as possible. As well as he could judge their probable opinions upon the question, he believed if they were selected they would be as fairly balanced as the House could desire. He had to the best of his judgment named those who he thought were the most competent persons to conduct this important investigation. It would be utterly impossible to put representatives of every interest on that Committee. He hoped that the hon. Gentleman would withdraw his Amendment, and the names of the Members of the Committee could then be left open for nomination on another night.

MR. HERRIES wished to understand distinctly whether the number was to be twenty-six, and whether the nomination of the members was to be postponed until Wednesday? He also wished to know whether the right hon. Gentleman was prepared to allow any alterations that might be suggested, without requiring the usual notice to be given? He knew that

this latter proposition was not consistent with the general usage of the House; but the right hon. Gentleman, if he pleased, could acquiesce in this understanding, as it was impossible that any notice could be given to-night upon the subject.

The CHANCELLOR OF THE EXCHEQUER said, he was only anxious that this matter should be amicably settled. If the House should prefer the discussion upon this subject to take place on Wednesday, instead of to-morrow, he should have no objection. Though it was usual to give notice of any alterations that it was intended to propose, there was no rule of the House that rendered such notice necessary.

Amendment withdrawn.

Original Motion agreed to.

Committeed to be nominated.

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, December 14, 1847.

MINUTES.] *Took the Oaths.*—Several Lords.

PUBLIC BILLS.—1ª Railways.

PETITIONS PRESENTED. From Aberdeen, for Revision of the Currency Laws.—By Lord Brougham, from Chepstow and Gosforth, against the Admission of Jews into Parliament.—By Lord Stanley, from Bridgnorth and Chepstow, for the Punishment of all Roman Catholic Priests who shall Denounce Persons from the Altar.

CASE OF H. A. BROWN.

Lord BROUGHAM said, he had to present the petition of a gentleman of the name of Anderson, of the city of Dublin, solicitor. He ought to state to their Lordships that he had been informed by those who knew this gentleman that he was of the highest respectability, that the party who was his client was also a person of great respectability, and the head of one of the banks in Dublin. He knew nothing whatever of the parties. The facts were wholly unknown to him, except upon the statement of the petition. In the year 1844, Henry Augustus Brown intermarried with the daughter of a Mr. Copeland, and went abroad with his wife; but some time afterwards the father-in-law, Mr. Copeland, discovered that Brown had been previously married to another person, of the name of Mary Downes, in 1842. Upon Mr. Brown returning to Ireland, therefore, he caused him to be arrested upon a charge of having intermarried with his daughter, as his second wife, his first wife being still alive. Upon this charge Mr. Brown was arrested, committed to prison, brought to trial, and convicted; his defence upon the trial being twofold—first, that he was a minor at the time of his former marriage; and, secondly, that his former marriage was invalid, inasmuch as he had discovered that the first wife had been herself previously married to a person of the name of Fitzgerald, who was alive at the time of his marriage with her. In support of this he produced no evidence whatever; and to rebut the defence as to his having been an infant at the time of the first marriage, there was produced against him his own affidavit upon obtaining the license under which the marriage was had, in which affidavit he had sworn that he was of full age. According to that statement, there being no evidence whatever of his being under age, the jury, under the direction of the learned Judge who tried the cause, without hesitation found him guilty; and on the 11th of April, 1846, he was convicted, and on the 23rd of that month sentenced to seven years' transportation. He had been originally committed to the county gaol, and continued there, occupying the master debtors' apartments, till the 8th of February, 1847. Now, one complaint of the petitioner was, Brown being allowed to remain so long in the Kilmainham county gaol, and in the master debtors' apartments, the usual course being immediately after conviction to transfer the party to Smithfield, in Dublin, which was a government prison. But his opinion was, that there was an answer to that statement arising from the circumstances, which operated the other way, and against the complainant. Previous to the conviction of Mr. Brown, which took place on the 11th, and pending the proceeding against him, viz., in the month of February, a suit was commenced of nullity of marriage, and that suit being prosecuted, there was afterwards a decree of nullity of marriage on the 23rd of April. It was commenced by Mr. Copeland, to set aside the second marriage, on the ground of his having been convicted of bigamy. Upon sentence of nullity being pronounced, Mr. Brown entered his protest, meaning to take the case before the Court of Delegates. They entered very fully into the subject, and pronounced their judgment, affirming the original sentence of nullity on the 5th of February, 1847. He (Lord Brougham) had stated to their Lordships, that the 8th of February was the day when Brown was taken from Kilmainham gaol to Smithfield prison. He was retained until three days after the sen-

tence of the Court of Delegates; but as there was a possibility that the sentence of nullity would be set aside, he (Lord Brougham) did not think there was a sufficient ground of complaint against the authorities for having kept him in the master debtors' wards. He had then a conviction, a sentence, an imprisonment under that sentence, a suit of nullity of marriage, a sentence pronounced of nullity, an appeal from that sentence, a confirmation of the sentence, and therefore decree of nullity of marriage, finally pronounced; and there was the judgment delivered by the Court of Delegates, most respectable judges, who formed a very strong opinion, not only in respect of Mr. Brown's marriage, but of the defence which he had set up. Mr. Brown himself thought fit to become the prosecutor of the first wife for bigamy, upon the ground that she had deceived him, and made him believe that she was a single woman, and he thought that if this prosecution ended in conviction, it might assist him in obtaining a pardon, for he did not prosecute her for bigamy till after his own conviction. The cause came on for trial, and to the surprise of all present she pleaded guilty, although most satisfactory evidence could have been produced that she was not guilty, and she was sentenced to two months' imprisonment. This was one of the main grounds for the censure passed on Mr. Brown's conduct. The same sentence condemned Mr. Brown in the payment of the whole costs, amounting to somewhere between 2,000*l.* and 3,000*l.* to Mr. Copeland, the prosecutor of the suit for nullity, and defendant on the appeal. He was now about to state how Mr. Copeland had been deprived of that sentence, and how another creditor of Mr. Brown had also been deprived of the judgment which he had obtained; for by various pretences Mr. Brown had succeeded in obtaining a loan of 200*l.* from a banker, who prosecuted the suit against him through Anderson, his attorney, and obtained judgment and sued out execution on the judgment. Mr. Brown being then in Kilmainham county gaol, Mr. Anderson, as the attorney acting for this gentleman, lodged a detainer with the sheriff of the county of Dublin, to prevent Mr. Brown from escaping, when he should, by the expiration of the sentence or by pardon, be liberated from gaol. It was so lodged; but soon after, Brown was transferred to Smithfield gaol, in the city of Dublin, being the common gaol. Now, although Kilmainham gaol was under the sheriff of the county of Dublin, Smithfield gaol was not under the sheriff of the city of Dublin, although situate within the bailiwick, and the sheriff could not execute any process whatever in the gaol. Mr. Anderson wrote to the Government, and wished to lodge a detainer; he found that it was useless to lodge a detainer; he then applied to the Secretary's office, there being a report that a pardon was expected for Mr. Brown, and some correspondence took place, the substance of which was, that Mr. Brown's removal from Smithfield to Kilmainham was for the benefit of his health, and that his being brought back to Smithfield was for a reason which had no reference to the fact of execution for debt; that he had been pardoned on certain conditions only, and in consequence of the precarious state of his health, it having been ascertained, after careful investigation, that his life would be endangered by further confinement. The answer of the Secretary's office concluded thus:—

"He has been released upon conditions: when those conditions shall have been complied with, he will at once be discharged from custody."

Mr. Anderson, reasoning upon this, of course took his measures, as the Secretary's office gave no other assistance; these measures being to watch his discharge by a sheriff's officer, and also by again lodging the execution in the county gaol. The first execution having expired by lapse of time, he obtained a second, and lodged a second execution. Immediately after that, Mr. Brown was removed from Kilmainham gaol again to Smithfield. The petitioner stated, that as Mr. Brown, on account of his health, had been removed from Smithfield to Kilmainham for the benefit of the air, Smithfield gaol being unwholesome, they did not well see how it happened that he was removed back again from Kilmainham gaol to the unwholesome gaol of Smithfield. He should give the remainder of the case in the words of the party himself. Now, all the steps were completed, and the whole might have been perfected on Thursday, the 16th of September; but instead of that, the completion of the document was suspended till Saturday, the 18th of September; the patent for the pardon was sealed on that day. In the ordinary course of business it should have been brought to the Rolls Office for enrolment; it could not have been perfected till the following Monday; but by extraordinary exertion the patent was en-

rolled on the same day, the enrolment having been engrossed by anticipation the day before, so that the patent should be sealed, and no delay might intervene; and he added, that after the assurance that the fulfilment of the conditions of Mr. Brown's pardon rested entirely with Mr. Brown, and that it consequently was impossible for the Government to give him notice of Mr. Brown's discharge, he was somewhat surprised to find that the preparation of the patent, the delivery at the Hanaper-office, the directions for sending an enrolment, and every part of the duty in connexion with it, was done by the sanction and by the servant of the Government, and the order for Mr. Brown's discharge was sent direct from the Chief Secretary's office to the governor of the prison in which Mr. Brown was confined. The pardon was received at four o'clock on the Saturday, and the governor kept him in prison till next morning, when he could not be arrested, so that Mr. Copeland and Mr. Anderson were deprived of their costs. The noble Lord said that he would make no observation whatever upon the case, but leave it for his noble Friends to require an investigation of the facts.

The MARQUESS of CLANRICARDE said, he had no fault to find with the manner in which his noble and learned Friend had brought this case before the House; but he could assure their Lordships that no unfairness or partiality had been shown by the Government in the transaction, and that no attempt whatever had been made by them to shield Mr. Brown from his creditors. The reason that that individual was left so long in Kilmainham gaol was, because an eminent barrister had given it as his opinion that the conviction of the first wife amounted to an acquittal of Brown, and that he ought not therefore to be confined in a convict gaol. He remained in Smithfield prison, and was treated in all respects as a convict for some time; but at length the surgeon of the prison reported that his health would suffer materially by his continuing there longer. Upon this being reported, he was sent back to Kilmainham; in fact, removed from one convict depôt to another convict depôt for the benefit of his health. But his health continuing very bad, application was again made to the Lord Lieutenant, who did not act upon the report of the medical officer alone, but directed an inquiry into the state of this gentleman's health; because, on account of his family connexions, his former position in society, and the extraordinary nature of the case, which had become notorious, the Government were anxious that there should not be the least ground for suspicion that they had exercised any partiality in his favour. Brown was pardoned upon the condition that he should absent himself from Her Majesty's dominions in Europe for the space of seven years, and provide securities for his observance of the conditions to the amount of 5,000*l*. Now, these securities he was not able to get until Tuesday the 14th of September; but on that day, the Crown Solicitor reported that satisfactory security had been found, and the conditions complied with. This report went in to the Secretary on Wednesday the 15th, and the Lord Lieuteuant signed a pardon and sent it back that evening. On Thursday the 16th, it was in the Secretary's office again, and was sent by him to the Crown Solicitor. On Friday the 17th, the Crown Solicitor had it enrolled—in other words, had the necessary forms perfected—and it was returned to the Secretary's office in the natural course of business—of course with no delay, because it would have been highly improper if delay had taken place—on Saturday the 18th. And accordingly, in the ordinary hours of business on Saturday afternoon, Sir W. Somerville, having the papers before him, wrote the usual form of order to the governor of the gaol to discharge the prisoner. At what hour that order was received by the governor, he could not say; but he could assure their Lordships that, as far as any Member of the Irish Government was concerned, the proceedings went through the usual course; and the only question was, whether the Government ought to have given the petitioner notice, so that he might have been ready to arrest the man immediately upon his discharge. It was for their Lordships to say whether it would have been right had the Government done so. For his own part, he was of opinion that the proper course would have been for Mr. Anderson to move in the Court of Queen's Bench. He would only say further, that the Government had taken as straightforward a course with reference to this convict as they would have done in the case of any other, and without exhibiting the slightest favour; and there was no ground whatever for attributing partiality to them.

LORD BROUGHAM said a few words in explanation, and the petition was ordered to lie upon the table.

MILITARY AND NAVAL MEDALS.

The DUKE of RICHMOND rose, pursuant to notice, to ask when it was probable that the medals intended as rewards "would be given to the Peninsular officers and soldiers? and if it was intended to extend the grant of such medals to other officers, soldiers, and sailors who served in the late war?" Her Majesty had been graciously pleased to order that medals should be struck and given to those who had been engaged in particular actions during the Peninsular war; also that medals should be given on account of other actions by sea and land during the war generally. He had asked whether there was any intention of extending those rewards to persons engaged in other parts of that great contest? The reply which he received was, that the Government could give no pledge, but that the subject was under consideration. Though he felt anxious that medals should be given to the Peninsular army, yet he never contemplated, while the Government was performing that act of justice, that they intended to exclude the officers and men who fought under Abercromby in Egypt, or who achieved the victories under our great naval heroes. Besides, there were officers and men who served in the Peninsula, who, though not present at any great action, yet had performed deeds well deserving the approval of the Crown; their services, he thought, ought not to be put aside. Many of them had lost limbs—many of them had been severely wounded without having been present at a great action—many, in consequence of sickness, were deprived of the gratification of being present in action. He felt most obliged to his noble Friends opposite for giving those medals; but he confessed he should not be satisfied if he did not think that they intended to give those rewards much more extensively than had at first been stated. It was his opinion that they ought to be given freely to the officers and soldiers who fought during the late war; and it would be difficult, he thought, to distinguish the merits of men who fought in general actions from those who displayed equal valour in skirmishes—the one class of men were quite as worthy as the other. He also wished to know whether or not it was the intention to postpone the issue of any medals till all the claims were disposed of—whether the better course would not be adopted of issuing them month by month according to the number of claims which might be investigated and dealt with in those periods. He feared that if the issue of the medals were delayed, their value would be much diminished, and that they would never reach the hands of those who had fairly earned them.

EARL GREY replied, that with reference to the rewards for particular actions, an order had been issued on the 1st of June, specifying the actions for which medals were to be granted, and stating that they should be limited to officers and soldiers who had fought in actions for which medals had already been given to the officers who commanded in chief on those occasions. With respect to the Army, he was not aware that any further distribution of medals was in contemplation than was specified in the order so issued. As to the Navy, it did not appear to him that the rule applied with equal fairness: medals were not given to commanding officers of ships in the same proportion that they had been awarded to military officers. As many as 2,000 claims had already been allowed, and 400 rejected; he was therefore warranted in saying that the process of investigating those claims was proceeding rapidly, although there were a great number yet to be disposed of. He had further to state, that the designs for both the medals had been approved of; but the artist engaged for the purpose of executing them, had lately had a narrow escape from losing his life. That was the reason the medals were not now ready; but he hoped they would be prepared within two months. There was no objection on the part of the Government that the medals should be issued as rapidly as the claims could be proved.

THE COURT OF ROME—THE EARL OF MINTO.

LORD STANLEY said: I rise, pursuant to the notice which I have given, for the purpose of calling your Lordships' attention to the continued absence from this country of the Lord Privy Seal; and I acknowledge that I have no intention of concluding with any Motion, unless the rules of order observed in this House should render it necessary for me to submit to your consideration some distinct proposition or other. In the first place, my Lords, I have to observe, that the mere absence from England of any person holding so high a situation as that now occupied by the Earl of Minto, is of itself a sufficient ground for the observations which I am about to make. But it cannot have es-

caped the notice of every one who hears me, that that necessity is very much increased by the existing condition of this country. The absence of Lord Minto would, I think, call for animadversion, even if the state of the United Kingdom had not been such as to have rendered it necessary to call Parliament together at an unusual season of the year. In the opinion of most men, that occurrence alone would have entitled us to expect that every Member of Parliament would have endeavoured to be at his post during the present Session, and most especially that a Cabinet Minister would have been at hand to give the benefit of his assistance and support. Although under ordinary circumstances the office of Lord Privy Seal is not an onerous office; although the duties appertaining to it are neither numerous nor distressing; although no very great public inconvenience is likely to result from the fact that the noble Earl who holds it does happen, when things are proceeding in their usual course, not to be at home; yet still the office is one of no inconsiderable importance; it is one of high authority, and one, I should say, demanding pretty constant attention—attention which, even under present circumstances, is probably given by some person, though I am not aware that the Government have for that purpose made any arrangement whatever—I do not know that any provision of any kind has been made for discharging the duties of Lord Privy Seal during the absence of Lord Minto. Doubtless some steps have been taken on the subject; and I trust the noble Marquess opposite may be able to inform us what they have been, for I can scarcely suppose that any of your Lordships unconnected with the Government possess any knowledge of any description relating to the matter. I am perfectly ready to admit that, upon an occasion of this kind, I should have been much less anxious regarding the matter under consideration, if it were limited merely to the absence of Lord Minto; but I feel a specific anxiety, not so much about his absence from this country, as about his presence in Italy. Your Lordships are, of course, quite aware, that there exist a general expectation and belief that the Government intend to establish diplomatic relations between the Crown of England and the See of Rome; and the persuasion also that the mission of Lord Minto to Italy is intimately connected with that intention. Now, I request it to be understood that I express no opinion as to the difficulties which, in point of law, ought to be removed, for the purpose of enabling the Government to establish diplomatic relations between this country and the temporal Sovereign of the Roman States. I repeat, that I express no opinion; but I say this, that I see Parliament assembled, and I find it reported that a noble Lord who has a seat in the other House, and who is entrusted by Her Majesty with the conduct of Foreign Affairs, has stated that the Earl of Minto has not been entrusted with any diplomatic mission to the Court of Rome. What I understand that answer to mean is this, that Lord Minto has not been sent to the Court of Rome as the accredited Minister of England, and that he has not been invested with any diplomatic functions. The belief in this country is—no matter whether the report be true or false—the belief here is, that though Lord Minto may not be engaged in any direct negotiation, yet that one portion of his business in Rome is to ascertain what the feeling of that Court is with respect to the contemplated establishment of diplomatic relations between the Crown of England and the Pope. Although the opinion which I have stated is the prevailing sentiment in England, on the Continent I believe that a very different opinion is generally entertained. I think, looking at the circumstances of the case, I may assume that Lord Minto is not a casual traveller in Italy—that he is not going about the Continent merely for his own amusement. I will not suppose that he is absent on account of pleasure; for that would be to suppose that he is culpably neglecting his duty. It is impossible to doubt that he is at the present moment, in some capacity or other, the representative of the British Government. Now, I ask of that Government—that which Parliament has a right to ask—if a necessary office of high rank is to be allowed for months to continue vacant? If we find that the nominal holder of that office, who does not discharge its duties, be absent from this country at a time like the present, Parliament has a right to ask what are the missions with which he is entrusted, and what are the functions which he is supposed to perform? It appears to me that the aspect of affairs in Italy is at present peculiarly important; and I think it would be satisfactory if we had some statement of the views and intentions with which the Government has sent Lord Minto out. I am not very particularly acquainted with the

existing condition of Italy; I am not prepared to go into any minute details respecting the state of affairs in the north of Italy; but this I believe is pretty generally understood, that, under the auspices of the Sovereign Pontiff and of other important personages in that country a state of extreme disquiet and of extraordinary political movement now prevails; that the consequences of this are exaggerated hopes in some quarters, and exaggerated apprehensions in others. The whole country is therefore considered to be in a state of ferment. It is natural, therefore, that in England we should feel strongly anxious. We all know that under the guidance of the present Pontiff various schemes of political change are afloat, to which some persons in that country give their assent more or less reluctantly—more or less willingly. What may be the objects or ultimate intentions of those parties, it is not for me to say. If the object of these changes be directed to what is called the independence of Italy; and if all the facts could be brought fully under our view, we might be enabled to form some judgment—so far as they have taken place, and so far as they are confined to alterations in the internal administration of affairs in that country—whether by an increase of the sovereign or the popular authority, so far as that movement goes, it seems to me to assume a purely internal aspect, which condition wholly and in every possible respect removes it out of that class of political events with which this country can in the slightest degree interfere. But it is also supposed that for various purposes a general federal union is contemplated amongst the different States of the north of Italy for purposes partly political, partly commercial. If any such project exist as that, or if there be any project afloat which could in any degree affect our commercial interests, there can be no doubt whatever that such a project ought to be most attentively watched by the Government of England—it is their duty; but that that duty is justly performed by such a mission as that of Lord Minto, I utterly deny. If there be a confederation going forward with ulterior political views, that also may demand the serious and anxious attention of the Government; but I should think that the last course which a British Ministry ought to pursue would be to give to such projects any support or encouragement whatever. We hear of the "independence" of Italy—if that means that no foreign Power at present removed by geographical situation from the confines of Italy should or ought to have any concern in the affairs of that country—I say that that is a principle which ought to be steadily resisted. As far as I know, Lord Minto has not been sent out as an accredited Minister to the Pope, or to any Sovereign Prince in any part of Italy; yet being the representative of the British Government he may compromise this country by his acts, by his words, by his general conduct. I think, therefore, we have a right to inquire what are his functions and what are his instructions. The public journals have supplied me with all the information which on this subject I possess; and I learn from them that upon more than one occasion, and, more especially, that during a procession at Rome, at which great numbers were assembled with flags and banners emblematical of the independence of Italy, the British Minister being called upon by the people who stopped in front of his hotel, did appear in answer to their cries; that he was by them called on on and recognised, not as Lord Minto in his private or personal capacity, but as the re-representative of the British Government; that he did present himself at the balcony; that he took off his hat and waved it, shouting *vivas* for the "independence of Italy." I trust the noble Marquess will be able to state that there is no foundation for this report. If Lord Minto had been a private person travelling for his own amusement, even then such a course of proceeding in any British subject would have been an imprudent and impertinent intermeddling. But in this case it was quite different; he was ostensibly and avowedly the agent of the British Government, and the proceeding was taken as conveying the sentiments and opinions entertained by his Colleagues, by the Government, and by England. For a man in his circumstances to take any part whatever in the movement that was going on, but above all, to lend the sanction of his name, and still more the sanction of his Government, to a cry for the "independence of Italy," appears to me a matter requiring, on the part of the Government, an unequivocal denial; or, if denial is impossible, I hope we shall hear from the noble Marquess that the proceeding was inconsistent with the instructions that have been given to Lord Minto, and the views Her Majesty's Government entertain of the duty of a person placed in the situation in which Lord Minto now

stands. The questions I wish to put to the noble Marquess are these: in the first instance, if any and what provisions have been made for the discharge of the duties of the Lord Privy Seal during the absence of Lord Minto? next, on the assumption that Lord Minto is in Italy upon a mission from the Government, charged with some important instructions to carry out its views, we ought to be distinctly informed what is the object towards which his instructions point; whether he is accredited —not to the Pontiff, for that would be contrary to the law, and has been denied —but to any of the States of Italy, and what are the precise functions and limits to the authority assigned by the Government to Lord Minto? I wish to ask further, whether the Government is prepared to state, on the part of England, that it has no desire to interfere—I do not mean actively or by force—but by its influence and its emissaries or agents, in the slightest degree, with the internal affairs of Italy, and that form of government which each particular State has thought fit to adopt?

The MARQUESS of LANSDOWNE: I shall be very glad to give to the noble Lord the explanations he has asked for relative to the important subject respecting which he has put some questions, and added some observations. The noble Lord appears anxious to know, in the first place, upon what grounds the noble Earl, occupying the high situation of Lord Privy Seal in the Administration, is absent from this country, and has not attended in his place in Parliament during the present short Session. I might refer the noble Lord, before I answer the question, to other times and other circumstances, in which Cabinet Ministers, holding high official situations, have been sent abroad upon temporary missions, which have been attended with advantageous results. I think, however, the noble Lord must be sufficiently aware of the nature of the duties of the Lord Privy Seal to know that, although undoubtedly it is a high office, yet, in the ordinary and practical administration of affairs, it is not attended with any species of difficulty, requiring the constant presence of the individual nominally entrusted with its duties. Ten or twelve years ago, at the time the noble Lord was connected with the Government, a searching inquiry took place into offices which had no duties annexed to them, and which might, therefore, be dispensed with; many such offices were absolutely abolished, but the office of Lord Privy Seal was retained upon grounds and considerations entirely alien to its necessity, for the discharge of the particular duties nominally attached to it. It is, undoubtedly, of great importance to have a high officer in the Cabinet unencumbered with duties which occupy the time of the rest of its members. Under these circumstances, if it became important to send a high officer abroad, upon any important mission, no choice for the purpose could be so natural as that of the Lord Privy Seal. This choice, as your Lordships well know, was made at a time when no immediate expectation was entertained of the assembling of Parliament at so early a period. But, my Lords, the objection, if it be an objection, implied by the noble Lord in his questions, does not extend merely to the individual selected, or to the office held by him, but to the nature of the mission which he was selected to fulfil. Why, my Lords, it was the very nature of that mission which made it peculiarly desirable that the noble Lord, entirely possessing the confidence of his Colleagues, and perfectly acquainted with all the recent transactions in Europe, should have been selected for the purpose. And I have no hesitation in saying, after what I have heard the noble Lord state to-night with regard to the affairs of Italy, that in my view the importance of the transactions taking place in that country—leading, as they must, to consequences of the greatest importance, to consequences highly advantageous in themselves and conducive to the prosperity of each Italian State, but possibly also to consequences of an unfortunate nature, such as must involve the relations of Italy with other countries—required some degree of interposition. The circumstance of an agitation and a movement prevailing in that country which could not be condemned, because its professed object in each individual State was to carry into effect reforms and alterations which had not only long been desired in Italy itself, but which had frequently been urged upon the Italian States by some of the great and friendly Powers, as necessary to the welfare of the people, and as tending to preserve the peace of Europe, perhaps required that advice should be offered; but when, after those reforms had long been resisted and avoided, a moment had arrived when a simultaneous spirit of reform—temperate it might be, happily, but liable from its character to become intemperate — had manifested itself in every part of the country, there could not

have been a time when it was more important that the friendly advice of England should be given; not an interference directed to any particular object, but that general interference which was calculated to encourage at once both the Governments and the population of Italy in the course in which they are engaged. So far as that course is limited to one object, namely, the internal improvement of each individual State, there cannot be a state of things in which it is more material that England should be represented in Italy, and in which the state of Italy should be made known to England, through the medium of a person of the highest authority, from the situation he held, as well as of the highest capacity to obtain information which was so desirable. I have therefore, my Lords, no hesitation in telling the noble Lord, if he is still ignorant upon that subject, that the Earl of Minto was not a mere traveller in Italy during the past month, but that the noble Earl left this country accredited to all the States of Italy with the exception of one, to which, undoubtedly, by the law of this country, as that law is understood, he could not be legally accredited. The Earl of Minto, my Lords, was instructed to proceed to Italy, to communicate with each State respectively to which he was accredited, and to offer to them the most friendly advice—to confine that advice to objects connected with the internal improvement of each State, and further to advise a course of prudence which should prevent circumstances advantageous in themselves to those States individually, and to Italy at large, from exciting the apprehensions of other Powers. I hope I have answered this question distinctly. I think the noble Lord will understand that not only the Earl of Minto, but Her Majesty's Government, are deeply sensible of the importance of preserving treaties with other Powers inviolate. Being sensible of the importance of that object, they are most anxious to avert any collision between the States of Italy at this moment, arising out of the excitement now prevailing there, which excitement might possibly be liable in its success to occasion those collisions abroad which the noble Lord deprecates, and which I deprecate as much as he. Under these circumstances, the Earl of Minto has communicated with the Italian Sovereigns; and I am justified in stating that those Sovereigns have expressed the most cordial satisfaction—amounting almost to gratitude—at having had the opportunity of hearing from so authentic a source the advice of England, and of making their sentiments known to England. I am persuaded that the presence of the Earl of Minto in Italy has tended to prevent any disposition to excess which may have existed in that country, and, above all, to maintain that which it is so desirable to observe—a good understanding and a concurrent affection between the different Governments and the people whom they govern, directed to one common object, to which it is most essential their views should be limited, and not be led to those which would have been attended with danger at home and difficulty abroad. The noble Lord has adverted to Lord Minto's residence at Rome. On this subject I will say, that although Lord Minto could not be accredited to the Court of Rome, owing to the law to which I have alluded, it would have been a great omission if, being in Italy, and the circumstances occurring which did occur at Rome to connect the State of Rome with the condition of other States to which the noble Lord was accredited, he had not made himself acquainted with the temporal Sovereign of Rome. Undoubtedly the noble Earl has resided at Rome; and I can state to your Lordships that Her Majesty's Government have derived the most useful information from his presence there—information which they could not have obtained through any other source. But the noble Lord goes further, and asks me whether I think it desirable that a communication with the Court of Rome should be established consistently with the law. The noble Lord has his own opinion upon that subject. [Lord STANLEY: The noble Marquess is in error. I did not ask him that question.] I beg the noble Lord's pardon. The noble Lord did incidentally observe that he was not about to give an opinion upon that point; but he did say it was desirable that I should state whether in my opinion it would or would not be advantageous. The noble Lord introduced it into his speech for the purpose of avoiding an opinion. I introduce it now for the purpose of giving an opinion. I think it most desirable that this country should be represented at the Court of Rome. In my opinion it is monstrous that, while this country is represented at, and has the means of procuring the best information through the most authentic channels from, every Court and Government in Europe, in America, and in Asia—in all climes and in all quar-

ters—there is a Court in the very centre of Europe where we have no means of procuring information, where we have no means either of communicating information or giving advice. There is not a Court in the world, I believe, in which it would be more useful to the British Government to be enabled to explain the nature of its own transactions, and to lay open to it the peculiar sort of influence it possesses. That cannot now be done by law; I admit it cannot be done. I think it but fair, however, to be frank, as the noble Lord called upon me to state directly what I think we ought to do. Having said so much, my Lords, there remains but one point in what the noble Lord has said, on which I feel myself called upon to remark. The noble Lord has referred to a statement which has appeared in the newspapers, to the effect that Lord Minto has expressed some sentiment on some occasion denoting sympathy with some popular feeling. I do not know what the circumstances were; I have received no authentic account of them, and I really cannot give any answer. But I am sure that on any occasion, if any such sympathy has been expressed by Lord Minto, it could only have referred to the internal proceedings of that individual State, and not in any way to the establishment of a new system of government of the whole of Italy. From its very nature the report cannot be contradicted. I presume Lord Minto was present on some public occasion when cries of different kinds were uttered. I do not know with what qualification the noble Lord did or did not sympathise with those cries; but of this I am sure, if any authentic statement of the fact can be procured, that any intimation of opinion given by Lord Minto was founded on a desire to promote, by friendly and conciliatory means, the improvement of each State of Italy; and above all, to cement the alliance between the Government and the people, by showing them the importance of acting with due consideration towards each other, in order to prevent any interference from without which might endanger existing treaties, the maintenance of which the great Powers have guaranteed. I hope I have answered distinctly all the questions put by the noble Lord. [Earl Grey here made a communication to the noble Marquess.] I am reminded by my noble Friend that I have omitted one question; the noble Lord appears to feel some apprehensions as to the mode in which the duties of the Lord Privy Seal have been discharged during his absence; I may state that in virtue of a commission the noble Lord left in England, all those duties have been discharged in his absence without detriment to the public service.

Lord BEAUMONT did not wish to continue the discussion, but he could not avoid expressing his gratification at the manly assertion of the opinion of the Government by the noble Marquess. Were the law altered he had no doubt that many things brought before their Lordships as subjects of complaint would be no more heard of.

THE AFFAIRS OF SWITZERLAND.

Lord BEAUMONT rose to put a question to Her Majesty's Government respecting the proposed mediation of the Five Powers in the affairs of Switzerland. The federal compact of the cantons of Switzerland was agreed to in the year 1815, and it now formed the basis of their government. By it the sovereign independence of each canton was guaranteed; each canton was to be represented in the Central Diet; the Central Diet was to be a legislative body, and its acts carried out by the whole Confederation. Each canton had a great council and a small council, the great acting as a legislative body, and the smaller as the executive. Each of these councils sent a deputy to the General Diet; and by the federal compact all affairs relating to the foreign relations of the country, or anything dangerous to the general peace of the Swiss Confederation, were to be left solely and entirely to the decision of the Central Government. There could be no doubt that for many years a party had existed in Switzerland, called the Radical party, who objected to a portion of the compact, and by whom there had been much agitation, in order to obtain a modification of it. At one time, indeed, the Diet was inclined to adopt some alteration. A league of five cantons was formed, with the avowed intention of opposing the federal compact; but the combination being illegal, it was afterwards dissolved. During the time these struggles were going on between the Radicals on one side, who wished to alter the federal compact, and the Conservatives who wished to maintain it, certain parties, who were no doubt connected with the Jesuits, raised up a kind of religious contest. The Jesuits of Friburg, who had been unmolested by the Diet, thought proper to interfere in poli-

tics, by endeavouring to obtain a majority in the general council of the canton of Valais. In that attempt they succeeded in some degree. The Diet, as well as the general councils of several cantons, thought the general peace of the Confederation was in danger from this interference. Still the ramifications of the agitation extended, and the Diet called upon the general council of one of the cantons to which they had spread to put down the agitation. The Diet proceeded in every point according to the constitution. Lucerne, however, in conjunction with six other cantons, formed a confederation which was called the Sonderbund. This confederation was infinitely more illegal than the last, because it was in direct opposition to the 5th and 6th Articles of the Federal Compact, which stated that if any difference arose between the cantons they should abstain from all acts of violence, above all from the use of arms, and conform to the decision of the Diet; also that the different cantons should not form compacts between themselves, or raise arms for war. Under these circumstances, the Diet proceeded to consider what was to be done with the Sonderbund. They first invited it to abandon the Confederation, and separate from the League; also to banish the Jesuits, as having been the cause of the disturbances. The Diet alleged that the Jesuits had made this commotion among the Swiss Confederation; but they did not declare that the Jesuits should be banished. According to the constitution of Switzerland, the Diet having decreed this, it became the duty of the Vohort to execute the decree. The cantons, however, instead of complying with the request, proceeded to arms. They recalled their deputy from the Diet, and took measures for hostilities. They formed themselves into independent governments, and assumed powers and authorities which, according to the federal compact, had been originally given solely to the Diet. The Vorort, therefore, determined to proceed to arms to put down the illegal combination. They put forth enormous power, so enormous that the Sonderbund, like *Falstaff*, thought discretion was the better part of valour, for, instead of fighting, as they had professed to do, the campaign was over within a week. The Jesuits had previously gone off with the whole of the revenue, leaving the people of Lucerne to fight the battle as they best could. Under these circumstances, the great Powers thought their authority would be required, and France and Austria proposed an intervention. Mediation was proposed by the remainder of the Five Powers. A note was consequently delivered, after the dissolution of the Sonderbund, on the part of the Three Powers, proposing a conference; and it appeared that at the conference a representative of the Sonderbund was to appear on exactly the same footing, and to be viewed in the same light, as the representative of the Diet. This was to acknowledge rebellion—to acknowledge the legality of the body that had given rise to these disturbances. Previously to the commencement of hostilities it might have been advisable to have had a communication with the Sonderbund, to see whether that body might send a representative to the conference to negotiate peace; but there was no Sonderbund in existence now, and therefore he wished to know whether it was intended to adhere to the terms of the conference by which a representative of the extinct Sonderbund was to be present at the conference. The question he had therefore to ask was, whether or not this country had joined in the proposal that a conference should now be held at which a representative of the Sonderbund should be present?

The MARQUESS of LANSDOWNE said, he would give a very brief answer to the question put by the noble Earl. Undoubtedly, although this country had never proposed to establish a conference of mediation in the affairs of Switzerland, still, when it was proposed by other Powers for this country to be a party to such a conference, his noble Friend at the head of the Foreign Department did consent, under certain limitations—the effect of which limitations would have been to prevent us from being involved in anything like hostility, still more in anything like an armed interference in the affairs of Switzerland—to be a party in a conference for the purpose of tendering to all the parties, in conjunction with the other Powers, our mediation in settling the affairs of that country. When, however, it was found that there were no longer two parties in the field, then mediation, or rather proposals for mediation, terminated altogether. Since then, without any participation in the proceedings of other Powers, or any active intervention in the affairs of Switzerland, Sir Stratford Canning, who was well acquainted with the affairs of that country, had been instructed to place himself, when passing through Switzerland, in communication

with the authorities there, and to tender to them that advice which they might be disposed to receive from him.

House adjourned.

HOUSE OF COMMONS,

Tuesday, December 14, 1847.

Minutes.] Public Bills.—1° Epiphany Quarter Sessions. *Reported.*—Public Works (Ireland).

3° and passed:—Railways.

Petitions Presented. By Mr. Frewen, from William Holmes, of Arundel, complaining of the Stoppage of certain Roads leading to the Protestant Church of Arundel by a Roman Catholic Nobleman.—By several hon. Members, from a great number of places, for and against the Removal of Jewish Disabilities.—By the Earl of Arundel and Surrey, from Marylebone, Hackney, and Richmond, against the Roman Catholic Charitable Trusts Bill.—By Sir R. H. Inglis, from Members of the Grand Protestant Association of Loyal Orangemen of Maybole, in the County of Ayr, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland), and against the Roman Catholic Relief Bill.—By Mr. H. Berkeley, from Bristol, and Sir W. Molesworth, from Parish of Christ Church, Surrey, for Inquiry into the Case of the Rajah of Sattara.—By Lord G. Bentinck, from Inhabitants of Trinidad, and the Island of Dominica, for Inquiry into the State of the West India Colonies.—By Mr. Fordyce, from Aberdeen, for Alteration of the Bank of England Charter Act, and Banks of Issue Act.—By Mr. F. O'Connor, from John Dillon, for Inquiry.—By Mr. R. Fox, from Ratepayers of the Longford Poor Law Union, for Relief.—By Mr. J. O'Brien, from Limerick, for Alteration of the Grand Jury Presentments (Ireland) Act.—By Mr. J. O'Connell, from several places in Ireland, for Alteration of Law of Landlord and Tenant (Ireland).—By Mr. Fitzpatrick, from Guardians of the Athy Union (Kildale), for Alteration of Poor Law (Ireland).—By Mr. Labouchere, and other hon. Members, from various places, for a Superannuation Fund for Poor Law Officers.—By Lord Melgund, from the Glasgow, Paisley, and Greenock Railway Company, for Alteration of Law regulating Turnpike Roads Roads (Ireland).—By Lord G. Bentinck, from King's Lynn, for Settling Disputes between Nations by Arbitration.

POOR LAW UNIONS (IRELAND).

Colonel DUNNE asked the right hon. Gentleman the Secretary of State for the Home Department whether he would lay before the House a list of the twenty-two unions in which Her Majesty's Government considered assistance in aid of poor-rates necessary, and whether he would state the reasons that had induced the Government to come to that conclusion? He also asked at what amount of destitution relative to the amount of the rateable value of a district, Government considered that district unable to support the destitution existing in it, and consequently entitled to assistance?

Sir G. GREY said, that the twenty-two unions which had been considered by the Government to require special assistance out of the 130 unions existing in Ireland, were situated in the west of Ireland; but he did not wish to state more particularly what those unions were. With regard to the second question of the hon. and gallant Gentleman, it was absolutely impossible to answer it with precision. The Government generally were prepared to afford aid to the local resources which were not sufficient to meet the pressing demands of the indigent poor; but no rule had been laid down as to the relative amount of aid to be afforded in reference to the means of relief possessed by any particular district.

THE CASE OF "BURON *v.* DENMAN."

Mr. URQUHART begged to ask the noble Lord the Secretary of State for Foreign Affairs whether the Government defended the actions in the cases of "Buron *v.* Denman," &c., and if so, what money had been expended, and from what source the money was drawn; and whether there would be any objection to lay on the table the correspondence relative to those actions, or the circumstances out of which they arose, between the Admiralty, the Foreign Office, and the law advisers and officers of the Crown?

The ATTORNEY GENERAL said, that although the questions had not been put directly to him, yet he felt that it was more particularly his duty to answer them. He begged to inform the hon. Gentleman that he, by the direction of the Government, appeared to defend the action of "Buron *v.* Denman." In answer to the second question of the hon. Gentleman, he had to observe that it was not the practice of the House to require the Government to give a detailed statement of the expenses incurred in a legal proceeding still pending; and in respect to the third question, the hon. Gentleman must see that it was utterly impossible that the correspondence upon which the Government were defending an action could be produced.

RAILWAYS BILL.

This Bill was read a third time.

On the Motion that the Bill do pass,

Mr. WYLD was anxious to call the attention of the House to the manner in which this Railway Bill was framed. It appeared to him to be like the play of *Hamlet* with the part of Hamlet left out. It was proposed to postpone the railway works for two years. He trusted that long before then the Railway Committee would be prepared to present a measure to the House that should relieve a large body of railway shareholders from the contracts into which they had, unfortunately, entered. Having

himself been very largely interested in railway matters, he considered himself qualified to give an opinion as a practical man on the subject. If the railway companies, under this Act, should call upon the shareholders to pay up their calls, it would involve nine-tenths of them in bankruptcy and ruin. A very large portion of the subscribers belonged to the middle and mercantile classes, especially in Lancashire and Yorkshire. Circumstances for the last two years had been such that the profits on trade had fallen very considerably; so that those who had entered into these contracts upon the assumption that trade and commerce would have gone on in the usual course, would now be wholly unprepared to meet any calls that might be made upon them. The present Bill proposed to postpone the railway works for two years; but what manufacturer or tradesman would endure having so heavy a responsibility hanging over his head for so long a period? They would prefer seeking relief in the Insolvent or Bankruptcy Court. If the Government, therefore, would bring forward a measure to relieve the companies from the obligation of carrying on their works, they would confer a great boon on the community, and relieve many who had now their money locked up in these companies.

Bill passed.

PRIVILEGE—WEST GLOUCESTERSHIRE ELECTION.

MR. WAKLEY rose to call the attention of the House to the petition of certain electors of West Gloucester respecting the election which had recently taken place in that division of the county. An hon. and gallant Member, a near relative of the noble Earl, referred to in the petition, said that he had no objection to a full inquiry into the circumstances connected with the election. [Captain BERKELEY had said, if the House thought proper to institute an inquiry, Earl Fitzhardinge would have no objection to it.] That was exactly his impression; and as there was no objection on the part of the noble Earl, they would now see if there was any objection on the part of the House to such an inquiry. The allegations of the petitioners were not loose or ill-defined; they were of a most specific character, and could not be misunderstood. There was no beating about the bush; and he would add, that the petitioners were persons of the highest respectability in the county of Gloucester. One was Mr. Leigh, of Woodchester Park, and the others were of equal respectability. A great number of persons were anxious that the vote by ballot should be established; and when that measure was advocated it was denied that corruption and intimidation was an English practice. They denied that corruption took place at elections, and that bribery and intimidation were resorted to by persons possessing wealth in the country, in order to influence the return of Members. He did not consider it his duty to make any charge against the noble Lord—he had not the honour of his acquaintance, and he had only a very slight acquaintance with any of his relatives. He merely acted as an independent Member, in whose hands a petition had been placed, with a request that it should be brought under the notice of the House. He had done nothing more than discharge his duty; and he would say that if Members of that House looked too fastidiously to the petitions which were placed in their hands, and were to decide on presenting them according to their own individual opinions, that the right of petition would be so infringed upon that it would be of very little value indeed. He had upon this matter no private feeling whatever; but he did consider that the charges were of a very grave and serious nature; and if the House resolved to pass them over lightly, and say that they would not inquire into any charges made against individuals tampering with the freedom of election, they would do great wrong to the people, and should not maintain on their books the Sessional Order that for any Peer to interfere with the election of a Member of that House, is violation of the liberty of election, and a breach of the privileges of that House. It would be an utter mockery to maintain such an order upon the books of the House, if they permitted such a petition to be presented to the House, and allowed it to be passed by unnoticed. He was most sorry that the subject of it was a noble Peer who had a near relative in that House. He regretted that there should be any family strife. He was not one who would widen the breach; but he thought that what had transpired was not very creditable to one of the parties. The position of the individual ought not to deter them from doing their duty to the country. That House would not discharge its duty if it did institute the most rigid, searching, and scrupulous inquiry into the facts of the case. The petition said—

"That shortly before, and also during, the last general election, William Fitzhardinge Berkeley, commonly called Earl Fitzhardinge, a Peer of the realm, and Lord Lieutenant of the county, not only personally but by accredited agents, and by large sums of money, and by intimidation and coercion, did, in open defiance of the law, in violation of his duty, and in utter disregard of the usual Sessional Order of your Honourable House in that behalf, directly, repeatedly, and systematically interfere with the rights and privileges of the electors of the western division of the county of Gloucester."

In another paragraph the petitioners state—

"That a short time previously to the said election the said Earl Fitzhardinge, in anticipation of the said election, and in order to prejudice and interfere with the success of one of the intended candidates, George Charles Grantley Fitzhardinge Berkeley, commonly called the Honourable Grantley Berkeley, did coerce his tenantry to resign their services in the troop of yeomanry commanded by their captain the Hon. Grantley Berkeley."

In another—

"That about the same time, and for similar purposes, the said Earl Fitzhardinge caused to be offered to the Hon. Grantley Berkeley a large pecuniary consideration, as an inducement or bribe to him to retire from his then representation of the said western division, and not to become a candidate for such division at a future time.

"That in thus acting, the said Earl Fitzhardinge endeavoured to deprive your petitioners, and other electors of the said division, of the services of the Hon. Grantley Berkeley as their representative in your Honourable House, and to interfere with their rights and privileges in that behalf.

"That the Hon. Grantley Berkeley refused to accept the said offer of pecuniary consideration, and, at the last general election, became a candidate for the representation of the said division in Parliament; that after the Hon. Grantley Berkeley had become a candidate as last mentioned, and shortly previous to the polling at the said election, a large sum of money, exceeding in value any previous offer, was offered, or caused to be offered to him, by the said Earl Fitzhardinge, to induce his retirement from the approaching contest, and his withdrawal of certain charges against the said Earl Fitzhardinge, and otherwise in relation to the said election, so as to enable one Grenville Berkeley to become a representative of the said electors in the place of the hon. Grantley Berkeley, but which renewed offer he again rejected. That the said Earl Fitzhardinge, having failed in his endeavours to deprive the said electors in manner aforesaid of the services of the Hon. Grantley Berkeley, did, by offers of pecuniary assistance and personal influence, instigate and induce the said Grenville Berkeley to become a candidate at the last election for the said division in opposition to the Hon. Grantley Berkeley, and did, from time to time, before, and during, and after the said election, promise and guarantee, and also pay and advance, large sums of money to defray the expenses incurred on behalf of the said Grenville Berkeley as such candidate as aforesaid; and did also use undue influence with numerous of the said electors to obtain their votes at the said election on behalf of the said Grenville Berkeley. That the said Earl Fitzhardinge, during and about the time of the said election, paid or caused to be paid large sums of money for the purchase of votes, and for treating voters, and for the instigation of violence, by which an extensive and organised system of personal violence, gross immorality, bribery, corruption, and intimidation was carried on at the said election, for the purpose of influencing the progress and result of the Parliamentary return."

And then the

—"petitioners most humbly but earnestly and respectfully pray that your honourable House will be pleased to cause a full and searching investigation to be made into the grievances and matters hereinbefore complained of, particularly with reference to the conduct of the Earl Fitzhardinge, the Lord Lieutenant of the county of Gloucester, in, about, and concerning the said election for the western division of such county, and to adopt such measures as to your honourable House shall seem proper or expedient, for the vindication of the free use of the elective franchise, the protection of the rights and privileges of the electors, and the prevention of the interference of Peers in the return to Parliament of the representatives of the people."

He had to inform the House, that he was also informed that Lord Fitzhardinge had expended large sums in the purchase of votes and in the treating of voters, and that by his orders wine and brandy-and-water were carried about in bucketfuls for the accommodation of the electors, and, in short, that scenes occurred which he trusted, for the purity of elections, were never elsewhere witnessed. Could that House consider that it was discharging its duty, and preserving the high trust committed to its care, if they permitted charges so serious to remain uninvestigated? If they permitted their standing orders to remain a nullity, they became guilty parties to those profligate scenes. They would encourage them, and from one end of the kingdom to the other they would invite wealthy men to interfere with the freedom of election. They would invite men to become candidates for representation, not for the purpose of maintaining the liberties of the country, but for the purpose of securing some sordid interest, in total disregard of the high behests and public grounds which men ought to have in seeking such a distinction. This petition, signed as it was by 150 individuals, was entitled to their serious deliberation; and as the noble Lord offered no objection to inquiry, but, on the contrary, as he appeared anxious to rescue his character from the imputations cast upon it, he trusted that the House would not act so unjustly

by that noble Lord—so cruelly, he would say—as to refuse inquiry. He might be asked the question, supposing they found the noble Peer guilty, what would they do with him? He distinctly said, that he could not tell. There had been cases of this kind on former occasions, but he could not discover that any severe infliction of punishment had been visited on those parties who had violated their orders. What punishment the House would inflict it was impossible for him to state; he did not even know what power the House possessed to punish the offender at all; but this he did know, that public opinion was seldom appealed to in vain. There had been a great violation of the proprieties of morality; and if there were some Peers indifferent to public opinion, there were others who would not be found to fly in its face. He would therefore move—

"That a Select Committee be appointed to inquire into the allegations contained in the Petition of certain Electors of the Western Division of the County of Gloucester, complaining of the interference of Earl Fitzhardinge, a Peer of the Realm, and Lord Lieutenant of the County of Gloucester, at the late Election of Persons to serve as Members of this House for the Western Division of that County in the present Parliament."

He trusted, in conclusion, that he had not been guilty of any indecorum. He had no feeling upon the matter. His only desire was to discharge his duty as an independent Member.

The ATTORNEY GENERAL said: I was anxious to hear what was the opinion of the House upon this subject before I stated to the House the result of the inquiries which I have felt it my duty to make, since an intimation was given that this subject would become matter of discussion. I do not consider that I ought to do more than to point out to the House what will be the result of an inquiry, and what difficulties will arise if they adopt the Motion of the hon. Member. Now, as I understand the Motion, it is founded on what is called a "breach of the privileges" of this House; which privileges are established and confirmed by the Standing or Sessional Orders passed at the commencement of each Session of Parliament. I am not now about to enter into the question of the propriety or expediency of passing these orders in question. It will suffice for me to state what I have found to be the practice of the House in cases of a similar nature. Neither am I prepared to enter into the circumstances on the merits of the case. The first precedent which I find on the subject occurred in 1780, when a similar petition was presented against the Duke of Chandos for interfering with the election of a Member for the county of Northumberland. The report of the case is to be found in 5th volume of the Journals of the House, page 507. The petition there stated that that nobleman had signed a letter with his own hand to one of the voters, desiring him to act in a certain manner. The Motion which was made on that occasion was not for a Select Committee, but merely to refer the petition to the Committee on Privileges. [Mr. WAKLEY: There is none now sitting.] On that occasion the Motion was made and carried without a division. The Committee took the matter in hand, and in page 557 I find that they reported that each charge had been substantiated, and that the Duke had been guilty of a breach of the orders of the House, and an infringement upon the liberty of election. Well, what did the House do? Let the House remember that the allegations were reported to be true; and instead of any step being taken, a Motion was made that the further consideration of the report be postponed until that day four months. [Mr. WAKLEY: That was before the reform of Parliament.] I do not intend to be diverted from the observations which I feel it my duty to make by these interruptions; but I shall presently show that there were more substantial reasons then for taking notice of any interference than there are at present. The next case was that of the Duke of Bolton, for interfering in the election in the county of Hereford. The case is reported in page 530 of the same volume. It was referred to a Committee of Privileges, which took no steps at all in the matter. In the same page I find that a Motion was made that it be an instruction to the Committee to report respecting the conduct of a bishop for interfering at the same election; but I also find that that Motion was withdrawn. A more recent case may be in the recollection of the House. I refer to the case which occurred in 1841, when a similar application was made in consequence of the interference of Lord Cawdor in the Carmarthen election, through the agency of his steward. The then Member for Bridport, Mr. Warburton, a great supporter of the privileges of the House, produced many original letters from his Lordship to the steward, giving directions as to what part his tenantry were to take in the election. Co-

lonel Trevor, who was then in the House, showed them the inutility of barking where they could not bite, and the House decided on not taking any notice whatever of the facts. Upon that occasion he found that the right hon. Baronet the Member for Ripon (Sir J. Graham) and the noble Lord at the head of the Government took part in the discussion. Yet, nevertheless, no Motion was made, and the discussion was allowed to drop. I find that there have been since that time many similar cases. On the 4th of April, 1845, a petition was presented against the Duke of Marlborough, on the strength of a petition from Woodstock. A Motion was made, but no notice was taken of the facts. In September, 1835, a petition was presented complaining of the conduct of the Marquess of Salisbury; but no Motion was made. The petition was printed with the Votes, but it led to no result. In 1833 a similar petition was presented from Launceston, and in 1836 another petition was presented complaining of the conduct of the Duke of Marlborough, but no steps were taken by the House. I have endeavoured to show to the House what they have done upon former occasions; but I am not discussing the propriety of the conduct of a Peer interfering with the choice of a candidate at an election. All I will say is, that it does not appear to me that there is any remedy in the hands of this House, if they established the facts alleged against Earl Fitzhardinge. [Mr. Wakley: You can dismiss him from the lord lieutenancy of the county.] I shall deal with that portion of the case presently. If the facts in the petition are true, and if they are capable of proof, the ordinary mode of proceeding against any person is by proceeding in the courts of justice; and these facts are equally open to be proved before an Election Committee, or in a court of justice. It is not stated nor is it pretended that the noble Earl was guilty of the conduct complained of in his capacity of lord lieutenant of the county. He had acted merely in his character of landlord. The charge was not made that he had acted in the character of lord lieutenant of the county, which if he had done would certainly be a ground for a recommendation to the Queen for his dismissal; but such a charge was not made. I believe I have now fulfilled my duty. I have shown the House what will be the consequences of a Motion of this kind. I have no personal feeling in the matter, nor any interest to serve one way or the other. My only desire is to set the House right with regard to the law upon the subject.

Captain BERKELEY said, after what had fallen from the hon. Member for Finsbury, he would beg leave to read the denial of his noble relative of the facts charged against him. The hon. and gallant Member read an extract from the letter of Earl Fitzhardinge, which stated that it was "the foulest falsehood that ever disgraced any set of men," when it was asserted that he had induced any of his tenantry to retire from the corps of which his brother was captain, and that he had not by any means interfered with respect to the election in question. That was a specimen of the manner in which the petition had been got up; and he only trusted that the House would believe with him that the statement of his noble relative was true. The question had become too painful for him, and he therefore begged leave to withdraw. [The hon. Member withdrew.]

Mr. GRANTLEY BERKELEY said: I am sure the House will not expect me to say much upon this painful subject; yet, nevertheless, I am bound to say a few words as regards the petition now under discussion, and of the allegations contained in it. As regards the statement which we have just now heard, and which touches me more nearly, I feel it only necessary to say that I happen to be the captain of the corps which has been mentioned, and I can assure the House of the truth of the interference. I have in my possession the letters of the tenantry serving in my corps, telling me that they would not have left me had they not been coerced to do so by their landlord. If the Committee is granted, I can produce these letters in support of my assertion. When I returned the muster-roll of my corps to the War Office, I represented the fact under the printed heading for observations, why so many of my best men had suddenly deserted my corps, as I thought it might appear owing to some error in my own conduct; and I then stated that they had left me through the coercion of the Lord Lieutenant of the county. I was not permitted to send that muster-roll to the War Office with those words in it; and, therefore, in obedience to my commanding officer, after having consulted a gallant Officer, a friend of mine, in this House, I erased the words, having first inquired how I was to report the fact why so many men had left my corps. I can assure the House that these men were

compelled to leave it through the interference of their landlord. I shall say no more upon this subject, nor shall I attempt to forestall the decision of the House, no matter what that may be. Had it not been for the remarks which have been just made, I should not have said one word during the course of the debate.

SIR R. H. INGLIS said, that whether the House adopted the course which the hon. Mover had proposed or not, he was of opinion that they should not resort to other courts for adjudication upon the matter until they had exhausted all the tribunals provided either in or out of that House before which questions of such a nature could be tried. It might be a question how far it was right to maintain an order upon their books to which they were unable to enforce obedience, and the existence of which subjected them, if not to mockery and insult, to something very like ridicule. The question whether a Peer has a right to interfere in an election might be tried. That House had it in its power, in cases where an election was turned by the vote of a Peer, to strike out that vote. He was aware of a Peer who went with six horses to his carriage to register his vote in the same manner as the lowest freeholder. The Duke of Norfolk voted regularly in some half-dozen boroughs in which he possessed property; and, knowing all that, he thought that they would be exercising sound discretion in rescinding the *brutum fulmen* which they were in the habit of issuing at the commencement of every Session. But, to come to the direct question, he held that nothing had occurred, or was alleged in the petition, which was not a fit subject for an Election Committee, and he was therefore prepared to vote against the Motion.

MR. HUME said, that several years ago he had pressed the House not to agree to these Sessional Orders, as he knew the position in which the House would be placed by their not possessing sufficient power to enforce them. He held that they should not have resort to the courts of law in a question of this kind. The question was, whether a noble Peer had been guilty of a breach of the orders of that House; and he held that they were either obliged to rescind the resolution or to inquire. The question might arise, if the noble Lord was guilty, what the House might afterwards do? That might be matter for future discussion. The House were bound to support its own authority, as well as that of the community at large, and they were, therefore, bound to inquire. If the question came to a division, he would vote for the Motion.

LORD DUDLEY STUART considered that it was their duty to inquire; and if the Motion were pressed to a division, he should feel himself bound to support it. He considered that the House could not show itself too jealous of any interference with the purity of election. They could not do too much to preserve it. A measure had been devised for preserving voters against undue influence, and that measure was the vote by ballot. Hon. Gentlemen differed in opinion with regard to that measure; but he believed that all were agreed that something ought to be done. They had been told that the proper mode of punishing offences of this kind, was leaving them to public opinion. But how was public opinion to be fixed, unless directed by some such solemn inquiry as that now prayed for? Let a Committee be appointed, and when they presented their report, public opinion would have something to fix upon.

LORD JOHN RUSSELL: I do not agree with the hon. Member for Montrose, that because there is a certain resolution passed by this House against the interference of Peers in elections, that it should be inferred therefrom that we are bound on every occasion a petition is presented to the House to institute an inquiry, and that we have no choice in the matter except either to rescind our resolution or to institute such an inquiry as may be prayed for. The House has a right to exercise its own discretion; to apply its resolution, or not to apply it, as may be judged necessary in such separate case. There may be a case of such a nature as to make the House agree to an inquiry. But there may be also a case in which it is advisable not to institute any inquiry; and I confess, Sir, that the hon. Member for Montrose does not hold out a very tempting prospect, when he says, "Go, on, pursue the inquiry, appoint a Committee, collect evidence to show that the allegations are well founded; and then, having done so, let the prudence of the House come in, and, by virtue of that prudence, it is probable that no further step will be taken." Sir, I do not think that such counsel points out an advisable course to pursue. But, Sir, the discretion which we ought to exercise in those cases depends very much upon what the allegations are. Now, there is one allegation to which a Member of this

House has lent the weight of his authority, and it is, that Lord Fitzhardinge induced certain members of a troop of yeomanry to withdraw from that troop because the hon. Gentleman in question was the captain of the troop. Then, however, it was alleged that Earl Fitzhardinge had done so in virtue of his influence as a landlord, not in the exercise of his power as a Lord Lieutenant, or in the intention of interfering with the election. Now, it may be that the act complained of was an exercise of wanton and oppressive power as against the hon. Gentleman who was the captain of the troop; but I do not think it is a matter into which the House can inquire, with a view to the adoption of ultimate proceedings. The next allegation is, that Earl Fitzhardinge did endeavour, by the offer of a sum of money, to induce a candidate who wished to be a Member of this House not to persevere in his intention. Now, I confess I do not know whether, if that charge were proved—that such a sum of money had been offered—that the matter would bear the character of a corrupt transaction, or one which would come under the cognizance of the law. But a further and a grave allegation is made, that Earl Fitzhardinge caused a large sum of money to be apportioned for the purpose of treating and bribery, and that he attempted, by a system of gross corruption, intimidation, and immorality, to interfere in the election for the county. Now, that is a very grave allegation; but it is an allegation which can be inquired into by the mode which the House by statute has appointed, and which can be resorted to within a certain time, not yet expired, after the meeting of Parliament. A petition has, I believe, been presented against the return of the hon. Gentleman; and, as I conceive, the allegations which we are now discussing may be tried by the Committee appointed to inquire into disputed election returns, more advantageously than before the tribunal now moved for. Therefore, Sir, on the whole matter of the petition I conceive there is hardly room for the appointment of a Special Committee, as the allegations may be gone into before an Election Committee. I repeat, that it does not appear to me necessary that a special tribunal of inquiry should be appointed. It is only if it should appear that there are allegations of gross corruption and intimidation, which cannot be inquired into by the Election Committee, that I should conceive it right to appoint a Special Committee. I am told that the petition is upon the ground of absence of property qualification. This, certainly, does make a difference in the case. Indeed, if there be no means of inquiry before the Election Committee into the allegations of the petition, that fact may be a ground, whatever be Earl Fitzhardinge's station—that fact, I say, may be a ground for appointing a Select Committee. But at present I am not sufficiently aware whether there exist the means of inquiry before the ordinary tribunals, and I therefore suspend any decided opinion in the matter.

Mr. HENRY DRUMMOND expressed his opinion that danger to the liberties of England and the English people arose not so much from Peers interfering in elections as from that House attempting to enforce its resolutions as if they were the law of the land.

Sir F. THESIGER could not exactly understand the course Government had adopted on this question. He had collected from the noble Lord's speech that at first he was disposed to resist the Motion; but in consequence of a communication just made to him, in reference to the petition, that he should suspend his opinion until he was fully assured the matter ought not to be sent to a Committee. He agreed with the noble Lord it was right that the Sessional Orders should be passed at the commencement of every Session, and also that the House ought to exercise a discretion in refusing or determining to interfere, and apply those orders as the case might be. As he understood, the hon. and learned Gentleman the Attorney General had said, that if inquiry took place, it would be fruitless. His hon. and learned Friend had with great industry collected a variety of precedents to satisfy the House that it was utterly helpless in this matter—that it had no power to proceed against the Peer who should interfere, or should use his influence in an election. Why, that House declared it in high sounding terms to be an infringement of the privileges of the House for any Peer to interfere at an election. Now, he confessed, if he thought that there would be no result from an inquiry of this kind, he should not be disposed to stifle it. He thought, that where a petition of this description was presented, complaining not merely of interference—such as in the case of the Duke of Beaufort in former years, who was accused of writing a letter to influence an election—but a petition of this kind, complaining of an improper influence

exercised by means of gross and systematic bribery, he did think it would be idle for that House to pass this Standing Order, which they had done only a fortnight ago, and then when this petition was presented, to say to the petitioners, "We cannot inquire into the allegations of the petition," and tell them the House had no power in such matters. These Orders were passed Session after Session; but it would appear, from the argument which had been raised by his hon. and learned Friend, that they were, after all, mere idle threats! That the House would not interfere in the strongest cases! Now, his hon. and learned Friend, as he had before observed, had exercised considerable industry in collecting precedents; but he had not, unfortunately, carried his research far enough back, because if he had, he would have found a precedent, and that precedent he (Sir F. Thesiger) would introduce to the House before he concluded his observations. The House would observe, that they had to deal not merely with a Peer, but with a Peer holding the high and responsible office of Lord Lieutenant of a county, against whose interference there was a specific Standing Order. Now the Attorney General said, "Why, you cannot do anything with the Earl Fitzhardinge in this matter; because, though he may have coerced gentlemen to leave the yeomanry troop commanded by an hon. Member of this House, yet he did not then act as Lord Lieutenant; but he only acted being Lord Lieutenant; and, therefore, being Lord Lieutenant, and not acting as Lord Lieutenant, you cannot bring your Standing Order at all to bear against him." But he was satisfied if the Standing Order was available against a Peer, and if he found he also held the office of Lord Lieutenant of a county (by which they would have to deal with something tangible), whether acting as Lord Lieutenant, or being Lord Lieutenant—he was satisfied that the Standing Order, if violated, ought to be brought into operation against that Peer so offending. He had mentioned that his hon. and learned Friend, in quoting various precedents, had not searched deeply enough; if he had done so, he would have found there was in 1701 a precedent in point in regard to the Bishop of Worcester, he being the almoner to the Queen, who had interfered at an election, not as the Queen's almoner, but being the Queen's almoner. Sir John Pakington petitioned the House, complaining of the interference of the Bishop of Worcester at an election; the House instituted an inquiry into the interference of the Bishop of Worcester, and it was resolved that Sir John Pakington had fully made out his charge against the Lord Bishop of Worcester, and also against the Bishop of Worcester's son. And it was then—

"Resolved, that an humble Address be presented to Her Majesty, praying that She will be graciously pleased to remove the Lord Bishop of Worcester from the office of Almoner to Her Majesty. It was further resolved, that the said Address should be presented to Her Majesty by such of the Members as were Members of the Privy Council."

Accordingly, the Address of the House was presented to Her Majesty; and this very pithy answer was communicated to the House:—

"I am very sorry for the occasion of this Address; I shall remove the Bishop of Worcester, and direct that he no longer fill the place of my Almoner; and I will put another in his room for that office."

The House would observe that he did not enter into the merits of this petition; he did not mean to consider at that moment whether the allegations contained in that petition were established or not. That petition certainly conveyed charges of a very serious character against Earl Fitzhardinge; and it appeared to him it would be trifling with the Standing Orders if, under the circumstances, this matter were allowed to pass by without a serious inquiry. Another observation made by his hon. and learned Friend the Attorney General, which was echoed by the noble Lord, was this: he said that the reason why they could not prosecute this petition further, was because, said the noble Lord, though there are serious charges of gross and systematic bribery, yet that was a matter which might be left to the ordinary tribunals of the law; there might be a proceeding by indictment, as the Attorney General had said. The noble Lord thought there might be an inquiry in the case of the witnesses against the return of the hon. Member for West Gloucester; but the Attorney General said, that the acts of bribery, if established, might be prosecuted at law. He begged to thank the Attorney General for showing him another way by which they could reach the offences which were imputed to Lord Fitzhardinge, and that they might have the power to punish them; because the House was aware that, in an inquiry before Committees of that House, where an individual had been guilty

of bribery, the House had directed the Attorney General to prosecute the offender. And it appeared to him (without assuming the truth of the allegations contained in the petition referred to, but assuming them to be established on satisfactory evidence) that making this Standing Order available against persons infringing on the privileges of the House of Commons, if it should be proved that Lord Fitzhardinge had interfered as alleged, and had been guilty of bribery, and had endeavoured to influence improperly these elections, then, he said, it was the duty of the House, and it was still more their important duty in consequence of the high station which the party implicated filled, to pursue that course which was provided for, and which was pursued against the humblest individual, in order to show the abhorrence of the House of acts of bribery; and he trusted the House would direct the Attorney General to prosecute, if sufficient proofs were laid before the House. He submitted to the House that they had the means to pursue this case; and, lastly, he declared it would be trifling with themselves if they did not consent to the Motion of the hon. Member for Finsbury.

Sir G. GREY was not prepared to deny that some inquiry ought to take place into the specific allegations against Earl Fitzhardinge; but the House ought to be very cautious in adopting the Motion of the hon. Gentleman. He regretted that he had not read the petition before he came down to the House; but from what he had heard and read since, he felt it to be his duty to impress upon the House the necessity of caution. The petition did not state that the parties signing it had a right to vote— [Mr. Wakley: I beg your pardon, the petition is from 150 electors.] Admitting that it was so, it was not stated in the petition that the parties had entered into recognisances. He thought that the petition presented against the hon. Gentleman's return had alleged the general charges of bribery and corruption. In that case, it was quite competent for parties having a right to vote to present a petition to have those charges investigated. It turned out, however, that the petition did not allege bribery, but merely want of qualification. The House must remember that, by the 5th and 6th of Victoria, chap. 102, provision was made for a satisfactory investigation of charges of the nature of those in question, when they could not be investigated before an Election Committee. The 4th Clause of that Act referred to cases in which general bribery was said to have prevailed; and he put it to the hon. and learned Gentleman opposite, whether he was prepared to deny that the allegations of extensive bribery did not constitute a case provided for by the clause, and whether it would not be better than adopting any other plan, to follow the course prescribed by the statute in such cases. However, what he would suggest was, that if any doubts prevailed, the House ought not to attempt hastily to decide the matter. Let the question in that case be adjourned for a day or two, at the end of which time that course could be adopted which was most likely to elicit the truth. The House could not with prudence adopt the Motion of the hon. Gentleman. But he would remind them that the Committee of Privileges had been appointed, but not nominated; and if the hon. Gentleman did not wish to proceed under the statute which he had pointed out, then the best course would, perhaps, be, to nominate the Committee of Privileges, and refer the matter to it. In the meantime, he moved that the debate be adjourned.

Sir R. PEEL said, that, knowing the disposition of the House in cases of this kind would be for the institution of immemediate inquiry, still he would impress upon them that such inquiries ought not to be instituted without being fully possessed of the circumstances of the case, and without exercising great caution. They had appointed under a statute a separate tribunal for the trial of election offences; they had given to that tribunal powers which, except they were held by statute, the House had not power to confer. They had given to it the power of examining witnesses upon oath. They required the persons making complaint to comply with certain restrictions, to place themselves under recognisances, and, finally, no inquiry could be gone into until an officer appointed by the House had certified that these recognisances were satisfactory. Now if they proceeded on too light grounds to institute inquiries, without the power of examining witnesses upon oath—without the necessity of the complainers putting in recognisances—they would be going far to break down the efficiency of the original tribunal which they had constituted. He did not mean to say that if there were no other power of inquiry than that furnished by a Special Committee, that these allegations ought to be passed over by the House;

but the subject was of so much importance, there might be such a tendency to present petitions of the same nature, that he thought that the right hon. Gentleman opposite had given them good advice when, admitting that it might be necessary to institute a special inquiry upon the subject, he told them that they would be acting wisely, with reference to preserving the efficiency of the tribunal to which he had adverted, to take two or three days, or even twenty-four hours, to consider what, under the circumstances of the case, was the best course which ought to be adopted. For his own part, he should consent to the proposition of the right hon. Gentleman for adjournment.

Debate adjourned till Friday.

THE ECCLESIASTICAL COMMISSIONERS.

MR. HORSMAN, pursuant to notice, rose to move the following resolutions :—

"1. That the Act 6 and 7 Will. IV., c. 77, contained among others the following enactments: —'That in order to provide for the augmentation of the incomes of the smaller Bishoprics, such fixed annual sums be paid to the Commissioners out of the revenues of the larger Sees respectively as shall upon due inquiry and consideration be determined on, so as to leave as an average annual income to the Archbishop of Canterbury 15,000*l.*, to the Archbishop of York 10,000*l.* to the Bishop of London 10,000*l.*, to the Bishop of Durham, 8,000*l.*, to the Bishop of Winchester, 7,000*l.*, to the Bishop of Ely, 5,500*l.*, to the Bishop of St. Asaph and Bangor, 5,200*l.*, and to the Bishops of Worcester, and Bath and Wells, respectively, 5,000*l.* And that out of the fund thus accruing, fixed annual payments be made by the Commissioners in such instances and to such amount as shall be in like manner determined on, so that the average annual incomes of the other Bishops respectively be not less than 4,000*l.*, nor more than 5,000*l.* And that, at the expiration of every seven years, reckoning from the 1st day of January, 1837, a new return of the revenues of all the Bishoprics be made to the Commissioners; and that thereupon the scale of Episcopal payments and receipts be revised, so as to preserve, as nearly as may be, to each Bishop an amount of income equivalent to that which shall have been determined in the first instance to be suitable to the circumstances of his Bishopric; and that such revised scale take effect, as to each See respectively, upon the then next avoidance thereof.'

"2. That on the 1st day of January, 1845, a new Return of the revenues of all the Bishoprics, as ordered, from the 1st day of January, 1837, to the 31st day of December, 1843, was presented to Parliament, and subsequently on the 6th day of February, 1846, and the 16th day of June, 1846, respectively, were presented the First and Second general Reports of the Ecclesiastical Commissioners, showing how the provisions of the above-named Act had been carried out.

"3. That, from these Reports, furnished by the Ecclesiastical Commissioners themselves, it appears to this House, that the provisions of the Act 6 and 7 Will. IV., c. 77, so far as relates to episcopal incomes, have not been carried out according to the intentions of Parliament."

The whole case lay in a very small compass, for it was contained in the resolutions which he had read; and the facts on which those resolutions were founded were introduced in the clauses of the Bill, which set forth the intention of the Legislature; and the evidence with respect to them was furnished in the reports of the Commissioners themselves. The Commissioners were appointed to carry into effect the Bill of 1836—their duty was to determine the amount to be paid by the richer sees to those that were poorer, in order to raise them to the amount presented by the statute, and to reduce those rich sees within the same regulations, with this restriction, that their recommendations were only to be carried into effect on the next avoidance of the see. This Act was accepted by many hon. Members, among whom were several Gentlemen now high in office, under a sort of protest, not as complete in itself, but as the commencement of that series of measures for the improvement of the ecclesiastical establishment which they thought absolutely necessary for the stability of the Church. Disappointed as those who took that view had been, they had refrained nevertheless from any attempt to disturb the settlement which was then agreed upon. The Commissioners were the persons who last year had thought fit to derange and disturb that settlement, and who had ventured to repeal the Act of 1836. Some of those right rev. Prelates in the other House had not hesitated to state, they thought the Act went a great deal too far, and that their assent to it had been obtained under the influence of apprehension and panic. This announcement on the part of the Commissioners had re-opened the whole question, so that any one was at liberty to enter upon it. But passing over the subject of the settlement, he would just remark that he had always believed that the changes recommended by the Commissioners, and enacted in 1836, to come into operation on the next avoidance of the various sees, was a most unwise and inexpedient measure. He was of opinion that this restriction had a most unfavourable effect, from the light in which it must necessarily strike the public. For example, they would see the Archbishop of Canterbury, who was at the head of the Commission, stating it to be his opinion,

that the revenues of the see of Canterbury were a great deal too large, and recommending therefore that they should be restricted to 15,000*l.* a year; but so far from the most rev. Prelate proceeding to say he would give effect to this statement by recommending that this reduction should instantly take effect, he appeared before the public exclaiming, "I have a great deal more than I require; but I only state the fact on the condition that the rule shall not be applied to myself, and that I shall be permitted to retain every farthing of these enormous revenues for my lifetime." In the same way the Bishop of London came before them protesting he had a great deal too much money, but declaring at the same time his intention to keep it all to himself. However pure might have been the motives of the right rev. Prelates, their conduct certainly had had the effect of securing to each of them the possession for his lifetime of great and superfluous wealth. The Commissioners proceeded to the discharge of their duty, taking as the basis of their operations the return of the Commission of Inquiry in 1831, which laid before them the detail of episcopal incomes, in two columns, the first of which gave the average income of the bishops, stated by themselves, on an average of three years ending 1831; the next, their opinions and predictions as to the future incomes of their sees, as they could look into futurity. The result of their prophecies had proved their Lordships to be very shortsighted indeed; and on looking over and comparing them with their supposed fulfilment, the effect was so ludicrous, that were it not for the gravity of the matter, it would afford great ground for amusement. These returns had been made by the right rev. body to assist the Legislature in its proceedings; but he must say, that if this had emanated from any persons less elevated above suspicion than the occupants of the episcopal bench, the amount of income was so understated, and the returns themselves appeared so little capable of explanation, that an idea might have been entertained that it was their intention to keep the public in the dark as to the exact state of their revenues. The first on the list was the Archbishop of Canterbury. He stated his gross income to be 22,216*l.*, his net income to be 19,182*l.* in 1831. Thus at the very outset they were met by the remarkable fact that, when a discussion took place in 1830 respecting the revenues of this see, on a Bill which had been brought in to enable the Archbishop to borrow money for building purposes, Dr. Lushington, defending his Grace, declared it had been proved before the House that his income did not amount to more than 32,000*l.* per annum, whereas it appeared to have fallen off 10,000*l.* by the very year following. In giving that return, the Archbishop stated his future income was not to be estimated at so large an amount, because there was a prospect of diminution which would probably reduce it to 17,060*l.*, and at this sum the Commissioners accordingly wrote down his revenues. But on looking to the returns on the average of seven years ending 1843, they would see that, instead of falling, as had been anticipated, the gross income of the see had risen to 28,005*l.*, and the net income to 21,196*l.* The next return was from the Archbishop of York, who stated his income thus:—Gross, 13,798; net, 12,629*l.*; but added that there would be at least a reduction of 20 per cent on this sum, and the Commissioners accordingly set it down at 10,600*l.*; but the calculation made on the average of seven years, as before, showed that the income had, so far from falling, risen to 14,552*l.*, or in other words exhibited an increase of 40 per cent. Next came the case of the Bishop of London, which was really most remarkable, and well deserved the attention of the House. The right rev. Prelate set down his net income at 13,929*l.*, but stated that there would be a decrease of 1,725*l.* a year from fines, and a further decrease on account of augmentations, and told the Commissioners to put down his future income at 12,204*l.* But, on looking to the last returns, they would see that it had risen to 14,552*l.* This was not all; he begged the attention of the House to the marginal note accompanying the return —"a decrease of 1,725*l.* a year from fines, &c., and a further decrease on account of augmentations." The whole prospect of the see was one of loss and diminution. There was scarcely a Member in the House who could not but know something of the property of the Bishop of London in the neighbourhood of the metropolis, and the immediate vicinity of Hyde-park, flanked by the Edgware-road on one side, to the Uxbridge-road on the other, running in an immense angle up to Hyde-park, Kensall New Town, to the terminus of the Great Western Railway, and Oxford and Cambridge-squares, and covered by an immense mass of buildings which had risen up within the last few years. Was it possible for any of them to believe, that when

this return was made in 1831, every prospect of the right rev. Prelate was of loss and diminution of revenue, and that there never flitted across his imaginings the least idea of an enormous increase of wealth? If they could entertain that notion, it would be dispelled by the fact that only five years before, an Act had been obtained for the express purpose of promoting and advancing these very buildings of the Bishop of London. The preamble of the Bill ran thus:—

"Whereas, from the disposition of the public to make improvements by building, it would tend to the improvement of the metropolis, and to the great advantage of the Bishop of London and of his successors, that the power of leasing and granting contracts for leasing should be extended, be it enacted, &c."

So that at the very time the House was told every prospect of the see was of decrease and loss, an Act was obtained to promote those buildings which had led to such a great increase in the revenue. All this seemed to have escaped the memory of those who made the returns; and it might be said that those houses were built in 1831, whereas the Act was not passed till 1836; but it happened that in the twelfth report of the Commissioners, in March, 1835, they repeated the statement with respect to the prospects of the see. Now, in point of fact, not only were a vast number of those houses built in that year, but many of them were inhabited; and not only had leases been made and contracts signed, but the source of that enormous wealth secured, respecting the amount of which he would not venture to make any calculation, but which competent persons declared must eventually amount to 100,000*l.* a year. The right rev. Prelate told the House in 1835 that he considered himself an ill-doing man, and that he was rather going down in the world than otherwise; but it appeared that all this time his revenues were augmenting enormously. The whole subject of his Lordship's Paddington estate was so extraordinary, as to fill any one who considered it with surprise. But the House must be prepared for a still greater wonder respecting it. It was strange enough there should not have been sufficient foresight te enable the Bishop to look to an increase of his revenue from this source; but what would they say to the fact, that after it had actually taken place—after houses had been built and leases given, the see was not in the least richer than before, and that in the next return, made in 1843, on the average of the seven preceding years, they would find the return was absolutely less than it had been in 1831? The net income in 1831 was 13,929*l.*; in 1843 it was 12,400*l.*, showing a decrease of 1,445*l.*, almost 1,500*l.* a year. He really wished to have some explanation of this curious circumstance, and to be told how it was that after 400 acres had been covered with houses, and 200 leases had been given—not on fines, but on steady, permanent rents—this estate had become less valuable than before, and how it happened that episcopal property, totally different from property of every other description, had decreased in rental as the amount of rents increased. It was of course impossible to doubt the accuracy of an episcopal return; and he could only say the fact gave a pretty idea of episcopal management. The see of Durham came next; the return gave the income, gross 21,991*l.* net 19,066*l.* As to the alterations to be expected, "no accurate judgment could be formed as to the profits depending on mines; but augmentations to the amount of 1,170*l.* had been granted, which would decrease the future revenue," and the future income was set down at 17,890*l.*, while, by the returns in 1843, it appeared to be gross 26,401*l.*, net 22,992*l.* The Bishop of Winchester came next; but the return made by his Lordship was perfectly accurate. The income of the see of St. Asaph was returned as gross 7,408*l.*, net 6,301*l.*, and it was stated that a gradual decline was expected, which induced the Commissioners to put down the future revenue at 5,280*l.*; but instead of falling so low, it rose up in 1843 to 6,948*l.* net, 8,393*l.* gross. The see of Bangor was returned at 6,580*l.* gross, 4,464*l.* net. The Commissioners set it down at 3,814*l.*, "as there was no prospect of increase, tithes falling rapidly;" but the good bishop was, it appeared, more frightened than hurt, for the tithes and other sources of revenue, so far from decreasing so rapidly as he dreaded, rose to 7,832*l.* gross, 5,643*l.* net. In the sees of Carlisle and Chester there was nothing remarkable in the returns, and no circumstance to call for comment. Then came Chichester, which was returned, gross 4,375*l.*, net 4,229*l.*, with the statement that there should be a reduction of 400*l.* or 500*l.* per annum, so that the Commissioners set down the revenue at 3,800*l.*; but the return of 1843 in the same way showed that it had risen to 5,200*l.* St. David's and Ely called for no comment. Then came the see of Hereford, the net income of

which was returned at 2,516*l.*, "with no expected decrease or increase. Notwithstanding this, the next return showed it rose to 3,194*l.* From Lichfield there were no returns, the agent, as it appeared, having run away, and taken with him both money and accounts. The see of Lincoln was reckoned at 4,913*l.* gross, 4,542 net, with the assurance that "this estimate exceeded the average by 680*l.*, and intended augmentations of dependent vicarages, which would cause a further considerable reduction." The future income was set down at 4,200*l.*, but it turned out to be 5,223*l.* net. The see of Llandaff gave a return of 924*l.*, "an increase expected." This was the only return to which such a remark was affixed; but he regretted to say it was not justified by the result, and that in this see alone no increase had taken place, the net revenue having fallen to 900*l.* by the next returns. The returns from the remaining see were as follows:—Norwich, gross 5,696*l.*, net 5,395*l.*, estimated income 4,700*l.*, actual net income 5,187*l.* Oxford, gross 3,106*l.*, net 2,648*l.*, "a decrease to be expected;" the net yearly value will amount to 1,658*l.* At that sum it was set down by the Commissioners; but the return showed a net value of 2,359*l.* Salisbury gave, gross 4,145*l.*, net 3,939*l.*, with the statement that if the calculations were taken on a larger average, the result would establish a net income *communibus annis* of not less than between 5,000*l.* and 6,000*l.* The Commissioners placed it at the former of these sums; but the returns of 1843 gave, gross 7,878*l.*, net 7,842*l.* Worcester, gross 6,916*l.*, net 6,569*l.* It was modestly added, "there was no reason to expect a decrease." The Commissioners acting on this, calculated the future income at 6,500*l.*; but the returns stood as follow:—Gross 8,166*l.*, net 7,122*l.* From these returns, which were so much understated in nearly every case, the Commissioners had made their calculations as to the future revenues of the sees. How it had happened these returns were so erroneous, it was not for him to say. If he were to hazard any conjecture, he might commit as great an error as the Commissioners themselves. The Commissioners had then to arrange the future payments to be made by the incumbents of the sees, and he thought he could show that even where it was a simple question of figures, with arithmetic to guide them, the Commissioners had not abided by the provisions of the Act, favourable as these had been to them; that where the payments were to be made by rich sees the proportion was small, and where by poor sees it was exorbitantly large. He would establish this by figures taken from the report of the Commissioners themselves, showing the amount of payments made. They had arranged the sums to be paid on the next dioceses falling vacant, as well as on those where vacancies had already occurred. He would now request the attention of the House to the following calculations on the bishops' returns of income for seven years, from 1837 to 1843, showing that in the cases of the sees which do or are hereafter to contribute to the Episcopal Fund, the payments fixed by the Commissioners still leave the bishops a surplus above the incomes as settled for each of them by Parliament:—

CANTERBURY.

The annual payment for the mortgage	£3,000	
Gross income		£28,005
Mortgage money...	3,000	
Intended payment exclusive of the above	6,000	
		9,000
Revenue		19,005
Intended revenue		15,000
Surplus		4,005

YORK.

	Gross.	Net.
Present income	14,687	13,610
Intended payment	2,500	2,500
Leaving	12,187	11,110
Intended income ...	10,000	10,000
Surplus	2,187	1,110

DURHAM.

Gross income	26,401
Payment now made	11,200
Income	15,200
Intended income	8,000
Surplus	7,201
But out of this sum is to be paid the cost of managing the estates, which amounts in this case to a heavy sum, therefore take the net income ...	11,792
Intended income	8,000
Surplus	3,792

ST. ASAPH.

Gross income	8,393
Payment	1,800
Receipt	6,593
Intended income	4,200
Surplus	£2,393

BATH AND WELLS.

Gross income	£7,354
Payment	800
Receipt	6,544
Intended income	5,000
Surplus	1,554

ELY.

Gross income	9,620
Payment to Commissioners, commenced	3,500
Receipt	6,120
Intended income	5,500
Surplus	£620

But the net income of seven years is stated to be 6,772*l.* after payment to the Commissioners, which would leave 1,272*l.* payable. It is probable, however, that in certain years of the average the payment of 3,500*l.* by the bishop was not made, which would explain the apparent inconsistency.

WORCESTER.

Gross income	£8,166
Present payment	2,300
Receipt	6,866
Intended income	5,000
Surplus	1,866

SALISBURY.

	Gross.	Net.
Income	...£7,878	£7,482
Intended payment ...	... 1,850	1,850
Receipts... ...	... 6,028	5,683
Intended receipt	... 5,000	5,000
Surplus	...£1,028	£683

These were the prospective payments; but the actual payments commenced would appear from the following calculations on the bishops' returns for seven years showing that in the cases of sees to which the Commissioners contribute the payments out of the Episcopal Fund, give the bishops a surplus above the incomes as settled for each of them by Parliament.

CHICHESTER.

	Gross.	Net.
Income	... £5,380	£5,217
Payment by Commissioners	... 650	650
Receipts without Commissioners' payment	4,730	4,567
Income as settled	4,200	4,200
Surplus without Commissioners' payment	£530	£367

And yet the Commissioners still propose to pay 150*l.* to the Bishop after the next avoidance.

HEREFORD.

Net income, including 1,400*l.* from Commissioners	£4,594
Intended income	4,200
Surplus	£394

And yet the Commissioners propose to pay 1,000*l.* a year to the Bishop after the next avoidance.

OXFORD.

Net income	£2,359
Present payment	3,500
Revenue	5,859
Intended revenue	5,000
Surplus	£859

Still to be continued on next avoidance.

LINCOLN.

Net income	£5,223
Intended income	5,000
Present surplus	£223

And yet the Commissioners propose to pay 500*s.* a year to the Bishop after the next avoidance. There was, lastly, the case of the Bishop of Rochester, which was a somewhat strong one. In the other cases the rule had been laid down that the changes were only to come into operation on the next appointment to the see; the Commissioners laid down, in the first instance, the rule that the income was not to be increased till next vacancy. So lately as June, 1845, they had fixed the payment in this case at 3,700*l.* a year, to commence on the next vacancy. Only two months later, in August, the payment actually did commence, no vacancy having occurred in the interim; and the Bishop was at this moment in the receipt of 3,750*l.* a year from the Ecclesiastical Commissioners. The result of this system was, that the payments made by the richer sees were less than ought to be paid under the provisions of the Act by no smaller a sum than 20,000*l.* a year; whilst the payments of the poorer sees were more than ought to be made by no less a sum than 6,000*l.* a year; so that at this moment the richest bishops were receiving over and above their due, under the provisions of the Act of Parliament which they were called upon to administer, a sum of no less than 27,600*l.* a year. The right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn) had on a former occasion made a reference to the difference between the gross and net returns; and he confessed that the enormous discrepancy between these, in the tabular statement made of

the seven years' average income of bishops, was to him perfectly unintelligible. It amounted to a sum of no less than 50,000*l.* a year. This could not proceed from anything like fixed payments; at least beyond a small part of that amount, since these varied so much from year to year. The difference between gross and net income was in the case of—

Durham	1837 ...	£14,000
	1840 ...	15,000
	1841 ...	16,000
St. Asaph	1837 ...	1,300
	1843 ...	2,300
Ely	1837 ...	1,800
	1839 ...	2,300
	1840 ...	3,000
Lincoln	1837 ...	400
	1838 ...	700
Back in	1839 ...	400
	1840 ...	900
	1841 ...	2,200
Norwich	1837 ...	300
	1843 ...	1,200
Exeter by the original return in	1831 ...	2,734;

but the difference between gross and net in 1843, 751*l.*, or 300 per cent. It would be satisfactory if they knew exactly what the Commissioners admitted as legitimate deductions from the gross income. Taking the last case he had mentioned, for example, what deductions could be mentioned that would make a difference of 300 per cent between the gross and the net income? He remembered an anecdote which might perhaps illustrate this point. A gentleman, who was known to have two livings of the value of 1,500*l.* a year, returned them as of the gross value of 150*l.*; and on being examined by the Tithe Commissioners, the account he gave was, that his two parishes were at some distance from each other, so that he was obliged to deduct the expense of the horses which conveyed him between them; that his wife was not in very good health, so that she was obliged to ride to church, which obliged him to deduct the expenses of the carriage; that a man in his station could not but send his children to a fashionable school, so that when every necessary expense was deducted, the net income remained at 150*l.* a year. Suppose a bishop were very litigious, and had, in consequence, many lawsuits with his clergy; suppose that he was rather eminent as a literary character, and composed a great many pamphlets, which were distributed through his diocese, or that he wrote long letters in the *Times*, addressed to the Prime Minister—would the Commissioners admit that all the expenses of these things, which were not included in his official functions, were proper and legitimate charges to be deducted from his gross income? He could account on no other grounds for the difference between the gross and net incomes that appeared on the face of the returns. Another thing was remarkable in the management of the Ecclesiastical Commissioners—their immense variations. No bishop knew from one year to another what his income was to be. That, he believed, was felt as a very great hardship; and he could not conceive anything more inconvenient, vexatious, and insulting. Take the case of Durham; he was told that the income of that diocese being calculated at 19,000*l.* a year, the Bishop had the choice given him by the Commissioners, whether he would make to them a payment of 11,000*l.* a year, taking his chance of 8,000*l.*, or whether they should make him an annual payment of 8,000*l.* and keep the remainder. As far as his information went, the Bishop preferred the gambling transaction, and certainly he appeared to have made a very good thing of it. His income was intended to be 8,000*l.* a year, yet it averaged 16,000*l.* a year, whilst the net income, according to the returns, was more than 12,000*l.* The excuse, or plea, assigned by the Commissioners for this management of the income was, that by allowing the Bishop to make the payment, instead of themselves giving it to him, he had a great interest in the improvement of his property. He thought this a false principle; it was refusing to give effect to the provisions of the Act of Parliament; and they all knew that when a man had an estate of 30,000*l.* a year to manage, that was of itself sufficient to occupy his whole time and energy. The first diocese in which this rule was laid down was Durham. The property of that see was mineral. They stimulated the Bishop to work it out to the utmost; and, accordingly, no less than 60,000*l.* over the sum fixed by Parliament had been received by the Bishop of Durham since his appointment to that see. The revenue was constantly increasing; and it was stated as quite notorious, that at this moment the income of the Bishop of Durham was greater than any ever enjoyed by a bishop of that see before. And this the Bishop had been receiving in spite of the Act of Parliament fixing that income. He now came to a case in which the Commissioners had taken upon themselves to postpone the operation of that Act—that of

Salisbury. The Act received the Royal Assent on the 13th August, 1836; it was to take effect retrospectively from the 4th March, a day fixed upon because the Bishop of Durham was gazetted upon that day, and Parliament was so determined to bring the Act immediately into operation, that though the Act was not passed till the month of August, it took effect from the 4th March in order to catch the Bishop of Durham, who was not yet in possession of his see. The Bishop of Salisbury was not gazetted till the 14th March, 1837, more than a year after the Bishop of Durham; his future income was expressly fixed at 5,000*l.* a year; and yet that provision had been entirely disregarded. The average income of that Prelate was nearly 3,000*l.* a year over that fixed by Parliament; in 1843, the last year for which they had returns, he was receiving a net income, by his own statement, of 12,142*l.*; and in 1841, he actually received 17,000*l.* That was a case on which he thought it unnecessary to make any comment. He could not help noticing, that whilst there was this superabundance of bishops and opulence of their revenues, every episcopal charge delivered dwelt on the spiritual destitution of the country. The laity were appealed to for their subscriptions; and nobly and generously had they responded to that appeal. In one single diocese, they were told by the Bishop of Ripon in his last charge, that during the last ten years no less a sum than 28,000*l.* had been annually subscribed for churches alone. Churches had been built in every direction by the exertions of generous and munificent persons, upon the express engagement of the Commissioners themselves that they would endow them after being built. Those engagements had been in many instances broken. They had heard the announcement made by the Commissioners in 1844, stating their inability to give any further assistance because the Commission was bankrupt; and yet at the very time that it was bankrupt the Commissioners were dividing among themselves, according to their own showing, no less a sum than 26,000*l.* a year, but he believed it to be much nearer 40,000*l.* a year, out of those ecclesiastical revenues which they had been appointed as trustees to administer for ecclesiastical purposes. And at what a time was this occurring? When their own statement assured us that there were 2,000,000 of our population who, from want of teachers, never heard the word of God; and when there were no less than 2,000 beneficed clergymen of the Church of England with incomes lower than 100*l.* a year, many of them running down to 50*l.*, 40*l.*, 20*l.*, 10*l.*, and 5*l.*, and even to 3*l.* a year. This was the state of the Church at the time these things were going on; and let the House think of the hardships and privations endured by the inferior clergy thus miserably paid. Why, the sufferings of the poor clergymen were something never before heard of in a rich and civilised country. He could communicate instances of poverty, privation, and suffering, on the part of these men, of which they had no conception. It had been made a reproach to us that we knew little of the condition of our working population. He believed we knew much less of the condition of the poorer portion of the working clergy. Think of the sufferings known to have been endured by these poor men during the severe season of the last winter, the largest portion of it without food for their families, without clothes, obliged even to casual charity for the cloak in which to go out and die by the wayside. It was sympathy with these men, and with the flocks under their care, which had induced him to bring forward this statement. It was not that he wished to assail the Ecclesiastical Commissioners. He had been honoured by the friendship of some of those distinguished men, and valued it too much to risk it lightly; he wished to give the honour due to the Ecclesiastical Commissioners and the dignitaries of the Church; but he must say his most earnest feelings, his warmest sympathies, were with the congregations of that Church, and the meritorious pastors to whom they looked as their esteemed and venerated guides. He looked on them as labourers not less worthy of their hire, because, not living in palaces, the sphere of their labours was often among those whom both society and Christianity had regarded as outcasts—

> "His the hard duty to reclaim
> Those reckless sons of sin and shame.
> Contemned—repulsed from door to door,
> His heavenly message press'd the more
> At last prevails; in him they see
> A sympathising poverty.
> Like them, by worldliness forgot,
> Neglect and penury his lot.
> Their wants, their woes to him are known—
> Alas! too often they're his own;
> He feels their sorrows, owns their cares.
> And all, except their crimes, he shares."

There were, he believed, many of these men among our poor working clergy: these

were the persons whom he should employ and cherish. Be it remarked that every shilling of superfluity you gave to the wealthy was so much abstracted from the working clergy, so much of their sustenance, and so much of religious instruction denied to the poor. It was for the poor that our Established Church existed. The revenues of that Church were the heritage of the poor; they in that House were their guardians and protectors; and they were bound to see those revenues were justly and righteously administered. It was for that purpose he called upon the House to vindicate its own Act of 1836, and so pave the way for placing the administration of those revenues, he would not say in more faithful, but certainly in more competent and careful hands. The hon. Gentleman concluded by moving his resolutions.

Mr. PLUMPTRE seconded the Motion. It was a subject of considerable difficulty and delicacy in his estimation; but those who shut their eyes to the errors and abuses found in the working of our system, were in his opinion its worst enemies. Feeling that the subject was one of great importance, he was prepared to go with the hon. Member for Cockermouth, because he believed the hon. Member wished to touch it with a friendly hand. He thought from the statements made by the hon. Gentleman, that the working of the Commission could not be satisfactory to those who considered the subject in all its bearings. He believed that it was not the intention of the hon. Member to make any personal reflections on the right rev. prelates he had adverted to; it was the system the hon. Member objected to, and which had led to his able and diligent examination of its results. If the Act 6 and 7 William IV. had not been properly framed, or if there had been any diversion or perversion of the fund intended to be applied to the purposes of the Act, this ought to be amended. He believed those who honestly and faithfully endeavoured to root out error where it appeared, and set their faces against abuses, were the true and real friends of the religious Establishment of this country, whose limits he wished to see extended, and its utility increased on every side. He believed he should be supporting its best interests by voting for the Motion before the House, and should therefore give it his hearty support.

Sir G. GREY said, although the first only of this series of resolutions had been read from the Chair, which merely recited an Act of Parliament, the second and third were those with which the House would have more immediately to deal, and he might assume that they were all to be discussed together. He concurred fully with what had fallen from the Mover and Seconder of these resolutions, that the ecclesiastical property of the kingdom ought properly to be applied to meet the spiritual destitution which existed. He questioned, however, whether the hon. Gentleman who seconded the Motion had read the resolutions with attention; for even if the House thought proper to agree to a vote of censure on the Ecclesiastical Commissioners, that would not effect the object which the Mover had in view. His hon. Friend who had introduced the Motion, devoted a good deal of his speech to matter that was not entirely relevant. He had alluded to transactions which took place before the formation of the Commission; and he confounded two separate Commissions. He assumed that the Commissioners had acted on returns of the value of episcopal incomes made in the year 1831. What was the history of the appointment of the Ecclesiastical Commission? The right hon. Baronet the Member for Tamworth (Sir R. Peel), in the beginning of the year 1835, had appointed a Commission of Inquiry into the ecclesiastical revenues, with the view of promoting the object which he believed his hon. Friend had in his present Motion; that Commission had made its report in March, 1836, and had come to certain resolutions, in which they recommended, amongst other things, an equalisation of the episcopal duties and revenues in the different sees. The resolutions were afterwards embodied in the Act of Parliament to which his hon. Friend referred as fixing the amount each bishop was to receive. But in point of fact that Act did not absolutely fix the amount of incomes. The Commissioners of Inquiry recommended—

> "That, in order to provide for the augmentation of the incomes of the smaller bishoprics, such fixed annual sums be paid to the Commissioners out of the revenues of the larger sees respectively as shall, on due inquiry and consideration, be determined on so as to leave as an annual average income to the Archbishop of Canterbury, 15,000*l.*; the Archbishop of York, 10,000*l.*; the Bishop of London, 10,000*l.*; the Bishop of Durham, 8,000*l.*; the Bishop of Winchester, 7,000*l.*; the Bishop of Ely, 5,500*l.*; the Bishop of St. Asaph and Bangor, 5,200*l.*; and the Bishops of Worcester, Bath, and Wells, respectively, 5,000*l.*"

They also recommended that out of the

funds thus accruing fixed annual payments should be made by the Commissioners—

"in such instances and to such amount as shall be in like manner determined on, so that the average annual income of the other bishops, respectively, be not less than 4,000*l.*, nor more than 5,000*l.*"

The next recommendation was, that at the expiration of every seven years, reckoning from the 1st of January, 1837, a new return of the revenues of all the bishoprics should be made to the Commissioners, and—

"that thereupon the scale of episcopal payments and receipts be revised, so as to preserve as nearly as may be to each bishop an amount of income equivalent to that which shall have been determined, in the first instance, to be suitable to the circumstances of his bishopric."

And he begged particularly to call the attention of his hon. Friend to the following words of the recommendation, because these very words were employed in the Act of Parliament—

"that such revised scale take effect as to each see respectively, upon the then next avoidance thereof."

Now, the Act of Parliament embodied and gave the force of the law to these several recommendations; and the Ecclesiastical Commissioners being constituted by Parliament the body to carry the Act into effect, had no power to depart from its provisions. The Act prescribed the precise mode by which the object of an equalisation of episcopal incomes was to be aimed at. He was not contending that the whole of this arrangement was not open to objection, or that it was not capable of amendment; but he contended that the proceedings of the Commissioners, which the hon. Gentleman had censured, were in conformity with the Act of Parliament which they were bound to adhere to, and the Commissioners had merely carried out the law. It was, therefore, impossible to say that the Commissioners had failed in the discharge of their duty: if any failure had occurred, it was in the Act of Parliament, which the Commissioners were bound to enforce. The Ecclesiastical Commissioners had only acted in strict conformity with the provisions of the Act. [Mr. HORSMAN: Not at all.] His hon. Friend said, "Not at all." But he believed that the Ecclesiastical Commissioners had strictly carried out the provisions of the Act of Parliament. His hon. Friend had stated that the returns of incomes made by the bishops in the year 1831 were grossly incorrect. Now he had not lately looked at those returns, and he could not decide whether or not they were grossly incorrect. If they were, he could only say that the bishops at that time had taken rather a desponding view of the value of the property they possessed, and must have supposed that their incomes had a tendency rather to diminish than to increase. But his hon. Friend had said that the Ecclesiastical Commissioners had fixed the incomes of the bishops on these incorrect returns. But when his hon. Friend made that statement, he must have forgotten that the Commissioners had fixed in the year 1837 the annual payments of the bishops, not on the returns of the year 1831, but on the subsequent and more correct returns, which showed the incomes to be much greater than the returns of 1831. The Act of Parliament provided that the Ecclesiastical Commissioners should ascertain the average incomes of the possessors of the wealthier sees during a certain period, and should charge those incomes with the payment of certain fixed sums, being the difference between the average income and the intended future annual income. Had the Commissioners done that? His hon. Friend said that they had not; but he said that they had. He held in his hand the first report of the Commissioners, which the hon. Gentleman seemed to have entirely overlooked; and in that report he found it stated that after having obtained the best information as to the revenues of the bishops, they had proceeded to carry out the Act by which payments were to be made out of the larger bishoprics in aid of the smaller sees. The information in question had not, he repeated, been derived from the returns of 1831, but from subsequent and more correct returns. He would take the case of the see of Canterbury in illustration of the error into which his hon. Friend had fallen. His hon. Friend had said that the Commissioners had written down Canterbury from the return of 1831 at 17,300*l.* a year. But the fact was that they had written down the income of the see of Canterbury at 22,000*l.* a year, charging the future possessor of that see with the payment of the sum of 7,000*l.*, thus reducing the income of the see, according to that calculation, to 15,000*l.* a year. He would next pass to the case of the see of Durham. The Ecclesiastical Commissioners had ascertained the average income of that see for the seven years preceding the appointment of

the present Bishop to be 19,200*l.* a year, and they had consequently charged the Bishop with the payment of 11,200*l.* a year in order to reduce the income to 8,000*l.* a year. [Mr. Horsman: Has not that Prelate been receiving 12,000*l.*?] He did not know what that Prelate had been receiving. But was it the fault of the Ecclesiastical Commissioners if he had been receiving more than 8,000*l.* a year? Was it not rather the fault of the Act of Parliament, which it was the duty of the Commissioners to carry into effect? The present Bishop of Durham had not been allowed to take possession of the see until a return had been made of the average amount of the income attached to it during the seven preceding years; that income had been returned at 19,200*l.* a year; and from that amount the Ecclesiastical Commissioners had deducted 11,200*l.* a year; so that the Bishop of Durham was receiving an income derivable from the see after the deduction of that sum. The Bishop of Durham might be in the receipt of more than 8,000*l.* a year; but the Act of Parliament provided that no change could be made in the income attached to the possession of that see until the next avoidance thereof. The Ecclesiastical Commissioners had no power to call on the Bishop of Durham to subject himself to any charge beyond the deduction of the 11,200*l.* a year. He did not want to enter on that occasion into any extraneous questions, or to lessen in any way the force of the appeal of his hon. Friend to the wealthier bishops, to contribute largely towards the removal of the spiritual destitution of the people. He might observe, however, that the Archbishop of Canterbury, and the Bishops of London and Durham, had all contributed liberally to that object. The Ecclesiastical Commissioners had no power to call on any prelate to pay to them a larger amount than the fixed sum which in strict accordance with the Act of Parliament had been charged on the see; and he, therefore, hoped the House would not visit on those Commissioners sins which they had never committed. The Commissioners could not disregard vested interests, but were bound to carry out the provisions of the Act of Parliament. His hon. Friend had said that the Bishop of Durham had been left by the Commissioners the option of either paying over to them a given sum, or of receiving from them a fixed allowance of 8,000*l.* a year, paying the whole proceeds of the see into their hands, and that that right rev. Prelate had preferred the gambling transaction. Now, that was a serious charge to bring against any man, still more against a venerable Prelate. He did not know the authority upon which his hon. Friend had made it; but he knew that the Commissioners could not have made such a proposal, because the Act of Parliament gave them no power to call on the Bishop of Durham to pay the whole receipts of his see into their hands. The Act of Parliament prescribed the only mode in which the Commissioners could call on the Bishop of Durham to contribute towards the fund out of which the incomes of the less wealthy sees were to be augmented, and that mode they had adopted. Upon that point, he should, therefore, say that his hon. Friend must have been grossly imposed upon by the parties from whom he had derived his information. He wished, in the next place, to allude to the statement of his hon. Friend with respect to the see of Salisbury. It had been distinctly recommended in the report of the Commissioners of Inquiry, subsequently sanctioned by Parliament, that where it appeared that the revenues of a see did not fall short of 4,500*l.* a year, and did not exceed 5,500*l.* a year, the Bishop should not be called upon to pay anything over to the Commissioners, and should not be entitled to receive anything from them. Now the see of Salisbury had come within that category. The income of that see had, during the seven years preceding the year 1835, amounted about to 5,000*l.* a year; so that the Bishop had been exempt from the operation of the Act. But the Bishop of Salisbury having since been called upon to make a return of his income, it turned out that he had received 1,850*l.* a year beyond the maximum laid down in the Act; and if that see were at present to become vacant, the sum of 1,850*l.* a year would, under the Act, be payable from the next bishop to the Commissioners. But in that case, also, the present bishop was protected not by the Commissioners, but by the Act which provided that the Commissioners could make no deduction from the revenues of the holder of the see until it should again become vacant. He would not go into other charges made against the Commissioners, who, he had shown, were not open to the censure of the hon. Gentle-

man. The Ecclesiastical Commission had only been constituted in 1836, and the returns of 1831 had nothing, therefore, to do with the conduct of the Commissioners. Parliament had placed certain powers in their hands to exercise for certain objects contemplated in the Act; and Parliament knew from time to time what was done, and could at any time have interfered and changed the law. The hon. Member had known what their conduct had been; and he thought it was rather shabby now to say, that whilst the Commissioners had acted in accordance with the provisions of the Act which they were appointed to carry into effect, they should be visited with censure because they had not violated an Act of Parliament. He believed that the whole subject was well deserving of the consideration of Parliament. It appeared to him that the arrangement entered into for fixing the income of the bishops was not the best that might have been adopted. The Commissioners stated in their report, that they considered the arrangement imperfect; and they had themselves suggested the expediency of altering the law, owing to the practical inconvenience which had resulted from it. He did not know that he need trouble the House with any further observations on the subject. With respect to the two first resolutions of his hon. Friend, which merely stated matters of fact, he should be prepared to move the previous question; and with respect to the third resolution, which he thought was founded on a misapprehension of the facts of the case, and the adoption of which would be a great injustice, he should be prepared to meet that resolution with a direct negative.

Mr. HUME said, the hon. Gentleman the Member for Cockermouth had shown that there had been a violation of the Act of Parliament, and it was the duty of the Secretary of State and of the Government to look after the execution of the Act. The gross amount received by the Commissioners since 1843 had been 197,000*l.*, and the net amount 150,000*l.*, and this had not been appropriated according to the intention of the Act. If power was given by the Act to misapply the funds, the remedy was not by resolutions of that House, but by a Bill to alter the law; and he suggested to the right hon. Baronet that the hon. Member might withdraw his resolutions upon a pledge from the Government that they would bring in a Bill to remedy the evil. It turned out that no less than 20,000*l.* or 30,000*l.* a year had been appropriated in a manner different from that in which it ought to have been appropriated according to the intention of the House. He had a petition from St. Stephen, Devonport, complaining bitterly of the want of spiritual instruction there, and it was the same in many other parts of the country; and when they had a fund to the amount of 150,000*l.*, he put it to the Government whether they ought to allow it to be appropriated to the bishops, when there was so much spiritual destitution? It turned out that about 30,000*l.* a year had been applied to the building of bishops' palaces, and other similar objects, instead of being applied, as it ought to have been, according to the report, and the intention of the House. There had been great negligence on the part of the Government, if the Bill were defective, in allowing this to go on. He thought that no bishops ought to be allowed to be in the Commission; whereas the constant attendance of the Episcopal Members gave them a preponderance. The evidence of the Bishop of London stated that, in his opinion, not one shilling of the money ought to go to any other purpose than to support the bishops. After the statement of the hon. Member for Cockermouth, it was impossible to allow such things to be; they tended to foster dissent, and to increase the enemies of the Church. He did not intend to raise the question, how far bishops ought to be suffered to roll about in their carriages with large incomes, which made them above associating with the inferior clergy. No bishop should have more than 2,000*l.* or 3,000*l.* a year; they would then be more upon a level with the other clergy. He was further of opinion that the Church might do without bishops. He did not mean to say that the people of his country were more moral and religious than those of England; but they were quite as much so, and Lord Brougham had said, "You might wander from one end of Scotland to tne other, and travel from the Tweed to John o'Groat's house, without seeing a bishop." There were no minor canons, nor even a rural deal to be seen there, Lord Brougham added; that poor benighted country knew nothing even of tithes; and yet, notwithstanding all this cruel neglect, the Scotch were the most moral and religious people in the world. He advised the Government to give a pledge that they would bring in a Bill to alter the Act,

and it would then be unnecessary to press the resolutions, which, if they were pressed, he hoped a majority of the House would agree to.

Mr. DEERING begged to observe, in reply to what had fallen from the hon. Member for Montrose, that the Bishop of Oxford was acquainted with every clergyman in his diocese.

Sir R. H. INGLIS fully admitted the perfect consistency and constancy of the testimony which the hon. Member for Montrose had borne to what he regarded as the corruptions of the Church Establishment of England—corruptions evidenced by nothing more, in the judgment of the hon. Member, than its riches. If this were the test, the hon. Member himself must be very corrupt indeed; for if, as he (Sir R. Inglis) hoped, report were true, he was said to be possessed of great wealth. The whole of the debate, with hardly an exception—certainly not on the part of either the hon. Mover or Seconder—had proceeded upon the principle that the Church, as such, had no property, and that the House had as good a right to deal with its revenue as they had with the Consolidated Fund. He was not surprised at the dissatisfaction of the hon. Member who had last spoken with the episcopal allowances, nor at his desire to allow the bishops no more than 2,000*l.* or 3,000*l.* a year; all he regretted was that others should have adopted the same proposition. The hon. Member, he knew, regarded the clergy, from the highest to the lowest, as pensioners of the State, and, as such, entitled to receive more or less according to the will of the majority of that House. He, with equal constancy, had always maintained, on the other hand, that the Church was as much entitled to the enjoyment of its property as the corporation of Durham. Well did he remember putting this question to his noble Friend at the head of the Government—what if this property arose from donations in the last year, and not 600 years ago? Was the rule different? Was there a lawyer who would tell him that there was any difference in the right to the property in the two cases? It was said that the bishops indulged in all the vanities and luxuries of this world. He was not aware of any such cases; but he was aware of instances of splendid liberality on the part of the prelates. He knew bishops who had done honour to themselves and the Church by displays of liberality. He need only refer for an instance to the case of the Bishop of London, which had already been alluded to, and to the very blue book which the hon. Member for Montrose was now holding in his hand. In this book he found it stated, amongst other things, that the Bishop of London had raised every vicarage in his diocese to 200*l.* a year; and it was difficult to say why the hon. Member had not quoted it, unless it was because it did not suit his purpose. At least it might be allowed that we should be cautious how we attacked others as selfish and grasping, when we really did not know what they did with their money. He (Sir R. H. Inglis) had been hearing with very great regret statements respecting the bishops generally, unsupported, as he believed, by fact, but certainly inconsistent with any very strong regard—he would not say for their persons, or even for their offices, but he might almost say for the Church of which they were the chief ministers. The hon. Member who had moved the resolutions expressed a hope that he had said nothing which could give offence to any one, and that he meant nothing as an insinuation or as an attack. If such were his wish, he was singularly unfortunate in his mode of expression and scope of argument; for certainly he had never heard anything which, to his apprehension, more resembled insinuation. For instance, the hon. Member observed, "These are the statements of bishops. If they were statements made by anybody else, one might be disposed to think them inaccurate." "The Bishop of Durham having the choice of two alternatives, preferred the gambling transaction." Were these the expressions of a friend of the Church? It was very possible that some alteration might be expedient in the mode of management of episcopal revenues; but what he wished to urge on the House was this, that the property of the bishops in 1836, and of every branch of the Church Establishment in this country, was as much and as absolutely the property of that establishment as the property of any lay corporation in the kingdom. For the sake of relieving spiritual distress and the ignorance of the people, it was thought necessary that some great effort should be made. It was not thought expedient to apply to the State in aid of such an endeavour; but the bishops, as part of the great establishment of this country, were to contribute from their own property, but were not to become the salaried servants of the hon. Member for Montrose and the majority of that House. Thank

God, they were not so. He was thankful that the Church Establishment of this country did not yet depend on an annual vote of Parliament, moved by the hon. Member for Montrose, or even by his right hon. Friend the Chancellor of the Exchequer. The Church stood upon its own foundation, as the first body in the State. There was no period in the history of this country, except the melancholy interval in the middle of the 17th century—a state of things to which he hoped the hon. Member for Montrose was not desirous of bringing them back—there was no period in which the hierarchy of England had not maintained its position as the first body in the State. Resting in their position, constitutional as to rank, and legal as to property; urged by their own sense of the exigencies of their fellow-creatures with respect to spiritual destitution, they, as the first estate in the realm, consented to contribute largely out of their own property, not as pensioners of that they received, but as donors of that which they had—free and willing donors. It was not for him to defend in detail all the acts of all the bishops at all times. It would be extravagant enough if he were to take upon himself such a task in reference to the bishops even of the present time. It was enough for him to maintain that, as a body, they had constituted a large portion of the strength and glory of the Church of England. With respect to their claims to the support of that House, he urged them not merely upon the Act of Parliament, which guaranteed their rights, but as the claims of a body of great proprietors exercising over their property a control as fair, and certainly as beneficial to all who had dealings with them or held under them, as any one rank of lay proprietors in the kingdom. The analysis of the returns by the hon. Member (Mr. Horsman) was thickset with insinuations of this sort—"if it had not been from a bishop, one could not have supposed it;" their mistakes in their calculations were stated to be all one way; but what conceivable motive could any bishop have to deceive any one? The Paddington estate had been mentioned; the Bishop of London had as much right to the whole profits of the Paddington estate, and the Archbishop of Canterbury to the Lambeth estate, as the Marquess of Westminster or Lord Portman had to their estates. He therefore could not regard the bishops as supplicants who were to come on bended knee, with cap in hand, to the hon. Mover, or to his right hon. Friend the Chancellor of the Exchequer, to ask for their annual dole. They held their estates as their own; and if an Act of Parliament should require them to contribute a given sum, that given sum they would willingly, he hoped, but at all events obediently, pay; but till an Act should pass, denuding them of their property, he would not willingly sit in that House and not oppose the doctrine that they were pensioners and not proprietors. This was the whole point in dispute—it was for this that he had contended now for about twenty years, and no one would ever accuse him, he believed, of having relaxed or relented in the proposition which he had all along endeavoured to maintain—namely, that though you might, by Act of Parliament, deal with the property of the Bishop of Durham, you had no more right to deal with it than with the property of the corporation of Durham. If they would admit that, he would not contest the point further, because he had always made a great distinction between the property of the Church and the property of indiduals, but no distinction between the property of one corporation and another. The Church had not received its present income from the State—the bishop had not received his property from the State, nor had the corporation of Durham; and until it could be shown that they had received their revenues from that source, he maintained that the State had no right to deal with them. Reference had been made to the case of the Bishop of Rochester, whose revenues were no more than 3,200*l.* a year; who, suddenly, and in a single year, was transformed into the recipient of 5,200*l.* a year. What was the fact? The fact was, that, in the interval, the Bishop of Rochester had, from the most conscientious motives, and in the same time by an arrangement most satisfactory to the Government, resigned the deanery of Worcester; and, therefore, the difference he received was merely an equivalent to the amount which he had previously held in respect of the deanery. With respect to the Bishop of Exeter, he believed very few men were better able to defend themselves than that right rev. Prelate. But a very grievous case of spiritual destitution in his diocese had been read from a printed paper, and somewhat sarcastically commented on. This much he would say, that the Bishop of Exeter entered his diocese one of the least popular men that ever set his foot there. He was speaking in the hearing of

those who knew better than himself the state of the diocese; but he believed he was quite correct in stating that his unpopularity did not last two years. The next object of attack was the Bishop of Durham, who was charged with being in the receipt of a larger income than his predecessors. He apprehended, however, that the evidence of a few years preceding 1803 would show that the bishop was poor compared with the occupant of the see in those days. He could go farther into details of the same kind, but that he was conscious that they did not affect the great question at issue, which was, whether the bishops were to be considered as proprietors or as stipendiaries. If as proprietors they were to make over a certain sum to the ecclesiastical fund, and it appeared that they had failed to do so, he admitted a case had been made out; but if they had been stipendiaries from the beginning, then that revolution in the Church which he earnestly deprecated was not only contemplated but achieved. He held, however that the case was as he had argued it; and with that full conviction he rejoiced that Her Majesty's Government had determined to move the previous question to the two first resolutions, and a direct negative to the third.

Mr. WOOD believed, that the right hon. Gentleman the Secretary of State for the Home Department was perfectly correct in his interpretation of the Act of Parliament. The arrangement was not that the returns should be made from seven years to seven years, and that then such an amount of payment should be fixed as would leave an average annual income to the parties. The fact was that the amount of income could only be altered with regard to the new incumbencies. He thought the House was indebted to the hon. Member for Cockermouth, who had brought forward these resolutions, for showing that there was a sum of 26,000*l.* per annum which should be applied to other than these purposes. It appeared to him that, after the statements of the hon. Member, the House could entertain no doubt that the Act of Parliament ought to undergo revision. The hon. Member had said nothing to lay him open to the imputation that he meant to apply Church property to other than Church purposes. If he had heard anything to that effect, he should most certainly oppose his resolutions from beginning to end. There was no doubt that a great deal of spiritual destitution prevailed in the country. There were, it was true, bishops in Scotland who received a very small stipend, and who yet discharged their duty most conscientiously and ably. But there was no question before the House as to the amount of revenue that ought to attach to the episcopal dignity. It was not for him to say whether it was wise or unwise to make it a condition that bishops should have a seat in the Legislature; but no one would say that they had a redundancy of bishops in England, when it was a fact that one see extended from Jersey to the mouth of the River, and that another reached from the Humber to the Thames. Under such circumstances, it was impossible that the bishops could be intimately acquainted with the spiritual wants of the people under their charge. He did not think it necessary, although they should decide upon increasing the number of bishops, that those additional bishops should have a seat in the House of Lords. He believed there was also a great want of working clergy; and in the very parishes of St. Margaret and St. John, in which they were then sitting, there were, it was well known, 40,000 persons who attended no place of worship whatever. It was the same way with regard to schools, there being no less than 12,000 children between the ages of six and twelve years who attended no school whatever. Under these circumstances, it was gratifying to find that there was a sum of 26,000*l.* per annum which might be applied for the promotion of schools and the increase of parochial clergy. It would be a valuable addition to the exertions which were making by the clergy and laity themselves; and in the two parishes to which he had referred he understood that no less than 18,000*l.* had been collected by private subscription for the endowment of additional clergy. To that fund the Bishop of London had contributed 1,000*l.*, and he believed on no occasion had that right rev. Prelate been deficient in supporting all subscriptions of a similar nature. A rev. gentleman, a friend of his own, had, in the district and town in which he resided, collected in the last ten years no less a sum than 100,000*l.*; and the same clergyman, the Vicar of Leeds, had brought forward an Act of Parliament to deprive himself of half the income derived from his incumbency in order to increase the incomes of the working clergy; and yet he had met with much opposition, and had been threatened with an action for doing so. These difficulties would

show the necessity that existed for having the whole subject reviewed, as well for the purpose of revising the powers of the Commissioners, as with respect to a new appropriation of the Church revenues. He could not vote for the resolutions, more particularly the third one, in its present form; but he did not think the time that had been occupied in the discussion was altogether lost, as it had elicited the almost unanimous feeling of the House that immediate consideration should be bestowed upon a revision of the existing system.

Lord J. RUSSELL: I have heard with great pleasure the speech of the hon. Gentleman who has just sat down. I have heard it with more pleasure because I think it is calculated to induce the House to come to a decision, and thereby shorten this debate. The hon. Gentleman has said that he does not consider the hon. Member who has moved these resolutions is well founded in the supposition that the Act of Parliament has not been complied with. He thinks that, although the Act may be defective, yet there is no reason to suppose that those who have had to carry it into execution have not earnestly applied themselves to that task; and therefore he is of opinion that the censure which the hon. Mover would cast upon them is not well founded; and, being of this opinion, the hon. Gentleman says, that he cannot vote for the resolutions that have been proposed. Now, whatever view we may take of the Act of Parliament itself, I am of opinion that the hon. Gentleman has come to a right and sound decision; and that no one who has attentively perused the Act can come to any other decision. Undoubtedly the question as to the framing of that Act of Parliament, and as to the mode in which the incomes of the bishops are to be settled, is a question of very great difficulty. Although it may be easy to perceive defects in the present mode, yet it is well known that other modes which were suggested were subject to very great objections; objections sufficiently strong to induce the Commissioners of Inquiry to recommend the mode which is at present adopted. For instance, if you say that bishops shall at all events pay into the hands of certain Commissioners all the revenues derived from their estates beyond a certain sum—8,000*l.* or 5,000*l.*, as it may be—which you agree to allow them for their income, it is evident that you thereby deprive them of all motive for taking due care of the estates which are submitted to their superintendence; while on the other hand, if you say that there shall be one common fund out of which a certain amount shall be paid to each bishop as his stated income, then that will be liable to the objection that the bishops would be mere stipendiaries; that the character which the bishops of the Church of England had hitherto borne would be entirely changed; and that they would be holding their incomes upon a very different tenure from what they have hitherto done, and would be receiving salaries in that very manner to which my hon. Friend the Member for the University of Oxford has so much objected. It being the fact, then, that there are such objections to those different modes I have mentioned, I will not, on the other hand, deny that there have been some grave objections to the mode which has been actually adopted. I say that it is impossible to say that it is agreeable to the intention of the Act of Parliament, or in accordance with its spirit, that a bishop to whom a certain amount of income has been allotted, should receive a sum greatly exceeding the sum so assigned to him. So, on the other hand, great difficulties must arise when you say that a bishop shall pay over a certain sum to Commissioners out of his estates beyond the amount of his allotted income, although it may be that those estates do not yield any such surplus revenue. And the difficulty is greatly increased if you subject the bishop to an action at law to compel him to pay over that sum, in order that the Act of Parliament might be complied with. The hon. Gentleman who introduced this Motion said that the Bishop of Durham should have 8,000*l.* a year, and not take the chance of an increase in the value of his property, which in some years might amount to as much as 16,000*l.* I was in the Commission when the bishopric of Durham fell vacant, and the present Bishop of Durham left the matter entirely to the Commissioners. I remember that the gentleman who had been the agent of the former Bishop of Durham came before the Commissioners, and was told what was the sum which the Commissioners proposed should be paid by the new bishop. That gentleman thought it would be imposing a great difficulty on the bishop, and he was not prepared to consent the bishop should pay over that sum. However, the Commissioners decided that that sum should be paid over, and the new Bishop of Durham

agreed to pay it, and never raised a question as to any other arrangement being made. I recollect a proposition being made to the Commissioners by the late Bishop of Ely, and it was one which showed that the arrangements sometimes made were disadvantageous to the bishops. It was believed that the income of the see of the Bishop of Ely amounted to 7,500*l.* The sum assigned to that bishopric by the Act of Parliament was 5,000*l.*, and it was therefore arranged that the Bishop of Ely should pay over to the Ecclesiastical Commissioners 2,500*l.* The Bishop paid this sum for two or three years; but finding that his income did not afford him the means of paying so large a sum as 2,500*l.*, he said to the Commissioners, "I should be much obliged to you if you will take the whole property into your own hands and pay over 5,000*l.* to me, rather than require me to pay you 2,500*l.*, which I have not the means of doing." It is possible that the hon. Gentleman who has moved these resolutions may have heard some story of this kind, and have confounded it with the case of the Bishop of Durham. With regard to the proposition of the Bishop of Ely, it must be obvious that the Commissioners would have been precluded by the Act from acceding to it. It is, however, a proof that there are inconveniences on both sides. As it is evidently impossible that the hon. Gentleman can get the House to agree to his resolutions, I hope he will be induced to withdraw them. Although the provisions of the Act may not have been carried out according to the intention of Parliament, yet all those who have read the Act must agree that its provisions have been carried into effect so far as the Commissioners are concerned; and I can only say that I will not pledge myself to bring in any Bill to change the present mode of distribution of the funds under the control of those Commissioners. I should be very glad if any mode could be devised which, upon the whole, would be better than the present; but as I do not know of any, I will not take any step to alter the present method until I see my way clearly. I quite agree with the hon. Gentleman who spoke last, that whether the surplus fund be 16,000*l.* a year, or 26,000*l.* a year, the money might be most usefully applied for the benefit of the Church. I agree with him, as I did last year with the hon. Member for Montrose (Mr. Hume), when speaking on this subject, that there was not sufficient episcopal superintendence for the increasing population of this country; and I agree likewise with both those hon. Gentlemen that with regard to the working clergy, the great mass of the population are very deficiently supplied with the spiritual aid of a working clergy. This I say without entering into any question with regard to Church property. I agree with those hon. Gentlemen that, whatever may be the surplus, there are quite enough demands for its appropriation for maintaining a zealous working clergy. But it will be for Parliament to consider at a future time whether any alteration or improvement can be made in the arrangements laid down in the Act of Parliament for the distribution of these funds.

Lord R. GROSVENOR said, that having listened attentively to the debate, he did not think the third resolution was either sound in law or correct in fact; and, upon the whole, he could wish his hon. Friend to withdraw his Motion. If his hon. Friend were to go to a division, he would not be supported in such a manner as the importance of the subject deserved, and his cause would rather be injured than advanced.

Mr. AGLIONBY did not think that the true spirit and meaning of the Act of Parliament had been carried out by the Ecclesiastical Commissioners. He agreed in the resolutions of his hon. Colleague, which alleged that the intention of the Legislature was to give a fixed and known income to the bishops, and that the Commissioners had failed in carrying out that intention. He had always considered that the property of the Church was held in trust for the benefit of the State; but now it seemed the opinion prevailed that it was the private property of the bishops and those belonging to the Church. There had been an appropriation clause applied to one part of the kingdom—Ireland; and by this very Act the same principle was applied to this part of the kingdom—England; why, therefore, should his hon. Colleague withdraw his Motion? He had made out a perfectly plain case, that a great abuse existed, and that it ought to be remedied. Was the noble Lord prepared to bring in a Bill to alter the Commission? The Commission consisted of forty-eight Members, and was therefore perfectly unworkable. There were twenty-six ecclesiastics and twenty-two laymen; that threw a great preponderance into the hands of the bishops. What was the attendance of the members of that Commis-

sion? The attendance of the ecclesiastical members preponderated in the proportion of three to one over the attendance of the lay members, The bishops had attended 1,500 times, while the lay members had only attended 500 times. As a proof that even twenty-six ecclesiastics were an unworkable body, he would refer the House to the evidence of the Bishop of London. where they would find a remarkable instance of the ignorance of that right rev. Prelate of what was going on before the Commission of which he was a member. The whole business, in fact, appeared to be transacted by the Secretary, Mr. John Meadows White, attorney, who, he believed, was a man of station, integrity, and honour; but who, of course, naturally entertained his own views of the subjects that came before him as Secretary of the Board. As another proof that the Commission required to be reconstructed, the hon. Member stated, that many of the Commissioners declared their ignorance of the difference between a tabular and a marketable value when required to place an estimate on leasehold property with which they had to deal; and yet it was shown that these very Commissioners sold by one table and bought by another; in short, they sold dear and bought cheap. His hon. Friend had succeeded in calling the attention of the Ecclesiastical Commissioners themselves to abuses of which they were ignorant. In conclusion he must observe, that if the Government, instead of being the first to remedy any evils which were known to exist, left them to be exposed by independent Members of Parliament, it would diminish the respect in which he hoped the Church would always be held in this country.

Mr. GOULBURN said, that the right hon. Secretary for the Home Department had entered so fully and so ably into what was the real subject under discussion, that it was unnecessary for him to trouble the House with many observations; but when hon. Members complained of abuses, he must observe, that those persons were the most likely to prevent the correction of abuses who endeavoured to create an impression that all the substantial reforms which had been effected were utterly inefficient. The hon. Member who had just addressed the House was an acute lawyer, as he had shown by the analysis of the papers in his hand, as well as by the questions which he had proposed in the Committee upstairs; but he had not exhibited any of the judicial character which ought to be the attribute of a learned Gentleman. The Motion before the House was a direct censure upon the members of the Ecclesiastical Commission for not having fulfilled what the hon. Member supposed to be the intentions of an Act of Parliament; and the hon. Member said that he was prepared to support that vote of censure upon him (Mr. Goulburn) and his Colleagues in the Commission, because the noble Lord at the head of the Government would not promise to introduce some Bill which the hon. Member had recommended him to bring forward. For no other reason than that, the hon. Gentleman thought he was justified in passing a vote of censure upon a Commission which had literally and strictly fulfilled the provisions of an Act of Parliament. The hon. Member set himself up as a judge of what was the intention of the Act of Parliament; but that was beside the question. The Commissioners were called upon simply to fulfil the directions of the Act; but there were in that Commission persons as cognizant of the law, and as capable of construing an Act of Parliament, as the hon. Member; and, acting upon their advice, the Commission had given effect to the law. The question raised was not, whether the constitution of the Commission ought to be altered; but a direct attack was made upon the character of Commissioners who had applied themselves assiduously to the discharge of their duties without reward or remuneration, except that which was to be found in the satisfaction which was to be derived from carrying into effect the provisions of an Act of Parliament, passed for the benefit of the ministration of the Established Church in this country. After what had been stated by the right hon. Secretary for the Home Department, it would be idle to attempt to follow the hon. Member who had introduced the Motion. The hon. Member possessed on this, as he did on a former occasion, a great advantage. If an hon. Member chose in private to go through the labour of analysing voluminous and complicated accounts extending from 1831 to 1837, and again to 1843, with the view of drawing inferences from them prejudicial to the character of individuals, he defied any man, however ingenious, to overthrow the array of figures and facts thus presented, with no other opportunity for examining them than was afforded during the current debate. If, however, he might

judge of the hon. Member's accuracy by that which he exhibited last Session, when he applied figures to another subject, he could not form a high estimate of it, for upon that occasion the hon. Member fell into gross inaccuracies with respect to figures, and seriously misunderstood the documents to which he referred, and which were, in some respects, the same as those to which he had that night directed his attention. The hon. Gentleman had especially attacked the ecclesiastical portion of the Commission; and he (Mr. Goulburn) must say that, if ever there was an unjust attack made upon an individual, it was that which the hon. Member had directed against the Archbishop of Canterbury for his conduct on the original Commission of Inquiry. The hon. Member distinctly stated to the House that, when it was proposed to reduce the incomes of the bishops and archbishops, the Archbishop of Canterbury proposed that the reduction of the income of his see should not take place during his lifetime. Now, he could inform the hon. Member that the majority of the Commission came to the decision that with the see of Canterbury the reduction of income should be prospective, instead of immediate—a course which reformers on the hon. Member's side of the House always maintained was the proper one to be taken, particularly with respect to the Church. The hon. Member also stated that the Bishop of Rochester received 3,700*l.* a year, in violation of the law. The hon. Member's statement was no better founded with respect to the Bishop of Rochester than it was with respect to the Primate. The object of the Commission was that the smaller bishopries should no longer hold large preferments *in commendam*, as had heretofore been the practice, in order to augment the incomes of those sees. It was notorious the Bishop of Rochester was in possession of two preferments, namely, the deanery of Woodford, and the rectory of Bromley, which he surrendered in order to be placed on the same footing, as regarded income, as that on which his successor would stand. The question was, whether the Commissioners ought to be censured on account of defects in an Act of Parliament? The hon. Member who spoke last was of opinion that they ought; but he was sure the House would take a different view of the case, and would not visit with censure men who had faithfully discharged their duty, because they had not fulfilled all the expectations which some hon. Gentlemen entertained, not of what the Act of Parliament would effect, but of what it might be made to effect hereafter. As to the larger question of the origin and title of church property, the present was not the time to enter upon it. It was enough for him now to deprecate the course which the hon. Member had taken in attacking the character of the Commissioners, and to throw himself and the other Members of the Commission upon the justice of the House, conscious that they had faithfully discharged their duty, and fulfilled the provisions of the Act of Parliament.

MR. HEYWOOD suggested, that the difficulty felt by the right hon. Gentleman the Member for the University of Cambridge might be obviated, if the hon. Member for Cockermouth would consent to a modification of the concluding part of his last resolution. He believed that the Ecclesiastical Commissioners had fully and fairly done their duty according to what they considered to be the construction of the Act. Many hon. Members would be enabled to support the resolutions if they were modified. Instead of the words, "That the provisions of the Act 6 and 7 William IV., c. 77, so far as relates to episcopal incomes, have not been carried out according to the intentions of Parliament," he would suggest the substitution of these words: "That the provisions of the Statute 6 and 7 William IV., c. 77, require the serious consideration and revision of Parliament." If the hon. Member would consent to this alteration, he should be happy to vote for his resolutions.

MR, HORSMAN believed the authority upon which he had made the statement respecting the Bishop of Rochester could be relied on; but after what had passed he had not the slightest doubt that he had been misinformed; he therefore begged to retract the expression which he had applied to the right rev. Prelate's supposed conduct, and to express his sorrow for having used it. He felt strongly on this question, because he was impressed with the importance of having the ecclesiastical funds administered for religious purposes; and when he saw those funds squandered, as he maintained they had been by the Ecclesiastical Commissioners, he would not be deterred from denouncing the abuse by the imputation of being an enemy to the Church. The statement and Motion which he had made, appeared to have been much misunderstood. It was difficult to make a statement which consisted almost entirely

of figures interesting, and it was impossible to render it interesting; and, on the other hand, it was very easy for any person possessing a fiftieth part of the ability of the Home Secretary to mystify and confuse such a statement. The right hon. Baronet had very ingeniously placed the Motion in a false light; and the noble Lord at the head of the Government, and the right hon. Gentleman who had last addressed the House, as well as the hon. Member for Oxford, had adopted the construction which the right hon. Baronet had put upon it. He had not cast any reflection on the Ecclesiastical Commissioners for not doing what the Act of Parliament would not permit them to do, but for having done wrong in making payment in excess in the eight different cases which he had mentioned in his opening speech. The returns to which he had referred were made by the Commissioners themselves to themselves, and therefore it was hard to blame him for using them. He must confess, that, speaking of the Ecclesiastical Commissioners as a public board, he thought they had not performed their duty in such a manner as to give general satisfaction to the public; and he was not singular in that opinion. The Board was composed of upwards of fifty individuals, comprising many of the dignitaries of the Church; and the opinion of the public was, that while they had limited the rights of patrons, and had imposed restrictions on the working clergy, when their own affairs had been concerned they had not adopted any measure which had not had the effect of increasing their own wealth, of augmenting their own power, and of adding to their own patronage. The right hon. Gentleman opposite (Mr. Goulburn) had stated that, on a former occasion, he (Mr. Horsman) had made charges against the Commissioners which were founded on incorrect information. He (Mr. Horsman) must say, if such were the case, he was greatly surprised that the right hon. Gentleman, or some other member of the Ecclesiastical Commission who occupied a seat in that House, had not at once risen to impugn his statements. He (Mr. Horsman) certainly thought it would have been more fair if the right hon. Gentleman had contradicted the statements at the time they were made, than to come forward now with a sweeping assertion that a speech which he (Mr. Horsman) made during the last Session of Parliament, six months ago, contained many inaccuracies, which the right hon. Gentleman then allowed to pass without notice. The object which he (Mr. Horsman) was desirous of accomplishing was to place the ecclesiastical revenues under a better system of administration. He must express his surprise at the epithets which had been applied by the right hon. Baronet the Home Secretary to Gentlemen who, in their endeavours to effect this object, were only carrying out the principles which that right hon. Gentleman himself professed before he came into office. If he (Mr. Horsman) could entertain any hope that Government would take up the subject, he would most willingly leave the matter in their hands, and would at once withdraw his Motion. He might add that he was quite ready to adopt the suggestion which had been made by the hon. Member for North Lancashire (Mr. Heywood).

Sir G. GREY observed, that the hon. Gentleman had wholly misunderstood him. What he (Sir G. Grey) had said two or three years ago referred exclusively to the constitution of the Commission. He had stated that he thought the constitution of the Commission required alteration. Since he had been in office, a Bill had been introduced with a view to effect that object; a Committee of the House had been appointed during the last Session to consider the matter; and he believed the hon. Member for Malton had given notice of a Motion for renewing that Committee.

Mr. GOULBURN said, the hon. Member for Cockermouth (Mr. Horsman) seemed to think it extraordinary that on a former occasion no hon. Gentleman had risen at the moment to correct the errors contained in the hon. Gentleman's statements of figures. He might observe, that the hon. Gentleman had to-night reserved for his reply an entirely new set of statements, to which, if they had been made at an earlier period of the evening, a satisfactory reply might have been given.

Mr. BROTHERTON considered that the House ought not to sanction the continuance of any abuse in the administration of the Ecclesiastical Commission; but he thought it was impossible for the House to affirm the resolutions of the hon. Member for Cockermouth, unless they were as well acquainted with the subject as that hon. Gentleman. He (Mr. Brotherton) considered that the House ought not too hastily to pass a vote of censure upon the Commissioners, and he certainly could not give his support to the resolutions.

Mr. HORSMAN did not wish to press those portions of his resolutions which implied a censure upon the Ecclesiastical Commissioners.

Mr. GLADSTONE considered it his imperative duty to object to the adoption of the change in these resolutions suggested by the hon. Member for North Lancashire (Mr. Heywood). He did so on the ground that if that suggestion were adopted, the question would assume a completely new form. He also considered that the resolutions were objectionable on general principles; for they would pledge the House to an opinion respecting the revision of the Ecclesiastical Commission, before hon. Gentlemen had the slightest idea of the manner in which that revision was to be carried out.

Previous question negatived on the two first resolutions.

Dr. BOWRING moved that the words in the third resolution, "have not been carried out according to the intentions of Parliament," be replaced by the words "require the consideration of Parliament."

Mr. HORSMAN withdrew his resolution, and the amended resolution was put as a substantive Motion, upon which the House divided:—Ayes 65; Noes 130: Majority 65.

List of the Ayes.

Aglionby, H. A.
Alcock, T.
Baines, M. T.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Bright, J.
Brotherton, J.
Buxton, Sir E. N.
Clay, J.
Clay, Sir W.
Cobden, R.
Crawford, W. S.
Duff, G. S.
Duff, J.
Duncan, G.
Evans, J.
Ewart, W.
Fordyce, A. D.
Forster, M.
Gardner, R.
Grattan, H.
Grosvenor, Lord R.
Hardcastle, J. A.
Hastie, A.
Heywood, J.
Hodges, T. T.
Hume, J.
Humphery, Ald.
Keating, R.
King, hon. P. J. L.
Langston, J. H.
M'Gregor, J.
Marshall, J. G.
Martin, J.
Matheson, Col.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Muntz, G. F.
O'Connor, F.
Pearson, C.
Peto, S. M.
Pilkington, J.
Pinney, W.
Plumptre, J. P.
St. George C.
Salway, Col.
Scholefield, W.
Secley, C.
Sidney, T.
Smith, J. B.
Spearman, H. J.
Stuart, Lord D.
Tancred, H. W.
Tenison, E. K.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Wakley, T.
Walmsley, Sir J.
Wawn, J. T.
Williams, J.
Wilson, M.
Wood, W. P.

TELLERS.
Horsman, E.
Bowring, Dr.

List of the Noes.

Abdy, T. N.
Acland, Sir T. D.
Alexander, N.
Bailey, J.
Baillie, H. J.
Baring, H. B.
Baring, rt. hon. F. T.
Barnard, E. G.
Bellew, R. M.
Bentinck, Lord G.
Berkeley, hon. Capt.
Blackall, S. W.
Bolling, W.
Bourke, R. S.
Bowles, Adm.
Boyle, hon. Col.
Bramston, T. W.
Bremridge, R.
Broadley, H.
Brockman, E. D.
Busfeild, W.
Cabbell, B. B.
Campbell, hon. W. F.
Cardwell, E.
Carter, J. B.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clive, Visct.
Cochrane, A. D. R. W. B.
Codrington, Sir W.
Cowper, hon. W. F.
Cubitt, W.
Deering, J.
Disraeli, B.
Drummond, H.
Dundas, Adm.
Dundas, Sir D.
Elliot, hon. J. E.
Farrer, J.
Ferguson, Sir R. A.
Fitzroy, hon. H.
Forbes, W.
Fox, R. M.
Freestun, Col.
French, F.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W.
Glyn, G. C.
Godson, R.
Goulburn, rt. hon. H.
Grace, O. D. J.
Greene, T.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Haggitt, F. R.
Hall, Col.
Hallyburton, Lord J. F.
Harris, hon. Capt.
Hay, Lord J.
Heathcote, Sir W.
Herbert, H. A.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hogg, Sir J. W.
Hood, Sir A.
Hope, Sir H. T.
Inglis, Sir R. H.
Jervis, Sir J.
Jervis, J.
Keogh, W.
Keppel, hon. G. T.
Ker, R.
Knox, Col.
Labouchere, rt. hon. H.
Lewis, rt. hn. Sir T. F.
Lewis, G. C.
M'Naghten, Sir E.
M'Tavish, C. C.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Matheson, A.
Maule, rt. hon. F.
Monsell, W.
Morgan, O.
Morpeth, Visct.
Mulgrave, Earl of
Newdegate, C. N.
Norreys, Sir D. J.
O'Brien, J.
O'Brien, Sir L.
Ogle, S. C. H.
Packe, C. W.
Paget, Lord C.
Palmer, R.
Palmerston, Visct.
Parker, J.
Peel, Col.
Plowden, W. H. C.
Prime, R.
Raphael, A.
Rendlesham, Lord
Repton, G. W. J.
Ricardo, O.
Robartes, T. J. A.
Russell, Lord J.
Russell, F. C. H.
Sandars, G.
Seymer, H. K.
Sibthorp, Col.
Smythe, hon. G.
Somerville, rt. hn. Sir W.
Stanley, hon. E. J.
Stanley, E.
Strutt, rt. hon. E.
Stuart, H.
Talfourd, Serj.
Turner, G. J.
Urquhart, D.
Vane, Lord H.
Verney, Sir H.
Waddington, H. S.
Ward, H. G.
Watkins, Col. L.
Westhead, J. P.
Willcox, B. M.
Willoughby, Sir H.
Wood, rt. hon. Sir C.
Wyld, J.
Wyvill, M.

TELLERS.
Tufnell, H.
Hill, Lord M.

House adjourned at Eleven o'clock.

HOUSE OF LORDS,

Wednesday, December 15, 1847.

MINUTES.] *Took the Oaths.*—The Earl of Beverley.
PUBLIC BILLS.—1ª Public Works (Ireland).
2ª Crime and Outrage (Ireland); Railways.
PETITIONS PRESENTED. By Lord Farnham, and the Earls of Malmesbury, and St. Germans, from Suffolk, and several other places, for the Imposition of Heavy Fines on all Roman Catholic Priests who shall Denounce Persons from the Altar.—By the Earl of Yarborough, and the Marquess of Lansdowne, from Southampton, and the Isle of Wight, for the Removal of Jewish Disabilities.—By the Marquess of Lansdowne, from the Board of Guardians of the Dungarvon Union, for the Repeal of the Irish Poor Laws.—From the University of Glasgow, for the Abolition of Tests in Scotch Universities.

CRIME AND OUTRAGE (IRELAND) BILL.

The MARQUESS of LANSDOWNE moved the Second Reading of the Crime and Outrage (Ireland) Bill, observing that he would reserve his explanation of the nature of the measure, and of the circumstances which had led to its introduction, until to-morrow.

Bill read 2ª, and ordered to be committed to-morrow.

RAILWAYS BILL.

EARL GRANVILLE rose to move the Second Reading of the Railways Bill. The noble Earl said that a question had arisen as to how far the expenditure required for the completion of railways had occasioned the recent commercial distress; but, without going into that question, he thought there could be no doubt that when commercial distress had set in, and when there was a scarcity of money, the competition of rival companies in the money market was likely to aggravate very considerably any pressure that might exist. The object of this Bill was to enable railway companies, on application to the Railway Commissioners, to obtain a warrant empowering them to extend the time for completing their works for two years. The Bill also provided that, in assessing compensation to the owners of land, regard should be had to any loss which they might sustain in consequence of such delay; and that new companies should not commence their works without the consent of three-fifths of the shareholders.

LORD STANLEY considered that the object proposed to be attained by this Bill was a good one—that object being that, where the expenditure of a very large amount of capital upon railway works had been sanctioned by the carelessness of Parliament, the period for such expenditure might be spread over a considerable period of time. But though he approved the principle of the Bill, he entertained some objections to the mode in which it was proposed to carry it into effect. Many noble Lords might be aware that, during the construction of a railway, not only were persons possessing property in the vicinity of the works subjected to great annoyance and inconvenience, but a most demoralising influence was produced upon the neighbouring population; and he considered that the longer the time they allowed for the completion of railway works, the greater would be that annoyance to landlords, and the more serious the demoralisation of the labourers. In case of the construction of a railway in an agricultural district, the plan of cultivation to be adopted must depend in a great measure on the completion of the works; and if the completion of railways was to be deferred for a period of three, or four, or five years, an almost entire stop must be put to the progress of agricultural improvement during that period in many districts. It appeared to him that the object contemplated by the Government might be very generally effected if they gave to the Railway Board the power, not of extending the whole period during which the works should be in progress, but of suspending, for a given period, the time at which the works should be commenced. He considered that, instead of allowing the railway companies additional time for the completion of their lines, the Railway Board should be empowered to say to the proprietors and occupiers of land, "You shall be secure from any interruption for the next two years, for, until the expiration of that time, the powers conferred by Parliament on such a railway company shall not be exercised." He (Lord Stanley) must say that he thought, in the case of railway companies who had obtained Acts of Parliament, but who had not yet entered into contracts for any part of their works, the restrictions imposed by this Bill were not quite so stringent as had been represented. The Bill did not require the consent of three-fifths of the shareholders in any company before the works were commenced, but only the consent of three-fifths of the whole number of shareholders who sent answers to the applications for their consent; so that a company might be enabled to go on with its works, though only one-fifth of the whole number of shareholders might give their assent to such a course. He thought it would be much better to require that be-

fore any new railway was commenced, the consent, not of three-fifths of the proprietors who sent answers, but of a majority of the shareholders, should be obtained.

Lord MONTEAGLE concurred in the suggestions of the noble Lord, more especially in that relating to the expediency of having the consent of a majority of the shareholders in the case alluded to. He regretted to hear something like a degree of doubt thrown out as to whether the extent of railway speculation had or had not contributed to the commercial pressure, for he had thought it had been admitted, almost universally, that the enormous amount of capital invested in railways had been one of the most prominent causes of that pressure. It appeared to him that what they were now doing by the present Bill was shutting the stable door after the steed had gone. He gave notice that at a future opportunity he would, unless the subject was taken up by some other Peer, introduce, with a view of correcting some of the evils consequent on mismanagement in railway affairs, a Bill to provide for the effectual audit of railway accounts, giving to a certain proportion of the shareholders in any company, when the accounts were submitted to them, a right to apply to the Railway Commissioners for the appointment of an authoritative and impartial auditor.

Earl GRANVILLE assured the noble Lord (Lord Stanley) that his suggestions would be taken into consideration.

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Wednesday, December 15, 1847.

Minutes.] Public Bills.—3° and passed:—Public Works (Ireland).

Petitions Presented. By several hon. Members, from a great number of places, for and against the Removal of Jewish Disabilities.—By Mr. Scholefield, from Birmingham, against the Roman Catholic Charitable Trusts Bill.—By Captain Harris, and Sir W. Heathcote, from Southampton, and Mr. Seymer, from Lyme Regis, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland).—By Sir R. H. Inglis, from Members of the Grand Protestant Associations of Loyal Orangemen of Norwich and Ashton-under-Lyne, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland), and against the Roman Catholic Relief Bill.—By Mr. Greenall, from London, Mr. W. Long, from Trowbridge, and Mr. Ricardo, from Middlesex, for Inquiry into the Case of the Rajah of Sattara.—By Messrs. Hutt, Vivian, and Lewis, from several places, for a Superannuation Fund for Poor Law Officers.

PUBLIC WORKS (IRELAND) BILL.

Mr. FRENCH moved the Third Reading of the Public Works (Ireland) Bill.

The Earl of LINCOLN wished to know whether the Government approved the provisions of this Bill, and considered them likely to effect the very desirable object of completing many of the public works which had been commenced. It seemed to be a Bill which the Government should have introduced and made themselves responsible for.

The CHANCELLOR of the EXCHEQUER, when applied to by a deputation of Irish Members, had stated that the Government were not prepared to borrow money for completing these works, but were ready, as repayments were made for former advances, to lend the money again to enable the Irish counties to finish the works. He was then asked, whether there would be any objection to a Bill to enable the counties to go on with the works, and whether the Government would bring it in? He undertook that the Government should see that the Bill was properly drawn, and it had been carefully looked through by the Solicitor for the Irish Office, and by the Solicitor General for Ireland; but he must confess that he was anxious, as so much reproach had been cast upon Ireland for asking money from this country, that in this case the Irish Gentlemen should have the credit of introducing a measure under which money to be raised by themselves was to be spent on the works in question.

Major BLACKALL would not have objected to that if the Irish Gentlemen had had the credit of introducing the original measure, and deciding on the works to be selected and undertaken, and on the mode of carrying them on; but, as the Government had the discredit of having spoiled the roads, they might take upon themselves the task of finishing them. If it was intended to be left to counties now impoverished to raise the requisite funds, the country would be deprived of the means of communication this winter.

Bill read a third time and passed.

COMMERCIAL DISTRESS—NOMINATION OF COMMITTEE.

The CHANCELLOR of the EXCHEQUER, in rising to move the first name on the Committee on Commercial Distress, which happened, he said, as was usual, to be his own, he wished to make a few observations in consequence of what had been

said on a former night on the subject of the composition of the Committee. The House had already decided that the Committee should consist of 26 members, and the question now before the House was, who those 26 members should be. Observations had been made as to the omission of certain names from the list which he had proposed. Several hon. Gentlemen were of opinion that other hon. Members than those whom he had selected ought to be on the Committee. He hoped he should be acquitted by those hon. Gentlemen whose names had been suggested, of any want of respect or courtesy in not having proposed them as members of the Committee. He had not willingly or knowingly omitted any name which in the discharge of his duty he felt he ought to have selected. With regard to the composition of a Committee of this kind, he agreed that every class of opinion on the subject with which the Committee had to deal, ought, as far as practicable, to be represented. The suggestions, however, that had been made, must, when stated, appear to the House perfectly impracticable. It had been said that there ought to be a larger number of Scotch representatives, and a larger number of Irish representatives; that the metropolitan boroughs and the manufacturing districts ought to be more fully represented; that more Members who were themselves employers of labour ought to be on the Committee; and that the East India interest and the West India interest ought also to be more fully represented. Now, it must be obvious, that if this principle were to be adopted, it would be impossible to form a Committee unless its numbers were greatly increased beyond what the House had already determined it should be. It was his opinion that the object of having every case and every view of the subject fully placed before them, would be better attained by calling parties before the Committee who entertained those various opinions, and examining them in regard to the particular views they entertained upon the subject of inquiry. He perfectly well remembered that there appeared before the Committee of 1841 two gentlemen who were deputed by the Chamber of Commerce at Manchester to attend and represent the opinions which that body entertained. The same course was adopted by other large mercantile interests in different parts of the country. It was the best mode of eliciting different opinions; and he was quite sure that there would be no disposition on the part of the Committee now about to be nominated to exclude witnesses of any description. The most important object in naming the Committee was to select men of experience and judgment, in order that they might be able to form a sound and impartial opinion upon the evidence adduced before them. Although he could conceive this to be in no respect a party question, yet from the known and commonly recognised composition of parties in that House, he believed that party considerations afforded in some measure a clue as to the persons to be appointed on a Committee of this nature; and that by common consent, certain persons who were amongst the most prominent Members on either side, would be those to be selected to constitute such a Committee. He had taken a few leading Members of the Government, a few leading Members of the late Government, and a few leading Members from among those Gentlemen who, when their time came, would in all probability hold prominent positions in the next Government. He had proposed three Members of the present Cabinet, whose especial duties were concerned in the finance and trade of the country—he meant the First Lord of the Treasury, the President of the Board of Trade, and himself. His noble Friend opposite (Lord G. Bentinck) proposed to leave out the name of the Minister whose especial duty it was to represent the trade of the country. He did not think he should have properly discharged his duty if he had not proposed to insert on this Committee Lord John Russell, Mr. Labouchere, and himself. He had also proposed to insert three Members of the late Government—Sir Robert Peel, Mr. Goulburn, and Sir James Graham, all of whom were members of the Committee of 1841. He had also placed on the Committee the names of three Gentlemen who, as he had already said, would, when their time came, probably occupy high office in some future Government—he meant Lord George Bentinck, Mr. Disraeli, and Mr. Herries. He did not, in this respect, think that any one could find fault with the selection he had made. There were Gentlemen representing the past, the present, and the future Government of the country. He now came to the opinion expressed by his hon. Friend the Member for the North Riding of Yorkshire, that all classes of opinion on the subject of the currency ought to be fairly represented in

the Committee. He agreed with his hon. Friend, and he believed he had put on the Committee men of every variety of opinion on that subject. He would point out how far this object had been effected. Taking the extreme opinions on the Bill of 1844, namely, those who advocated an inconvertible and depreciated paper currency, on the one hand, and those who supported the utmost restriction imposed by the Act of 1844, on the other, he would mention, as the representative of the former opinion, Mr. Spooner, who certainly entertained opinions as far removed from the Bank Charter Act of 1844 as possible. Then his hon. Friend the Member for the North Riding of Yorkshire, besides going great lengths as to the issue of paper, represented an opinion favourable to the establishment of a silver standard, or a double standard of gold and silver. Next, there was Mr. Hume, who represented the Scotch system, or what was called the free-trade system of banking. That opinion prevailed in Scotland, and was advocated by many Gentlemen on the discussion of the Bill of 1844. Another opinion on the subject of the currency, which had been expressed in that House, was that which advocated the issue of 1*l.* bank notes. His hon. Friend (Mr. Hume) had put on the Votes a resolution containing the opinion that the issuing of 1*l.* notes was as safe as the issuing of 5*l.* notes. In point of fact, there were two hon. Gentlemen whose names he had proposed who were the advocates of 1*l.* notes. Then there was another and more modified opinion, namely, that the mere convertibility of paper was a sufficient protection against any over issues, and that the Bill of 1819 was quite sufficient without the Bill of 1844. That opinion was represented by the right hon. Gentleman the Member for Stamford; and he believed it was also the opinion of the noble Lord the Member for Lynn. Lastly, an opinion had been constantly expressed, not only last Session, but also this year, that even if the Bill of 1844 were maintained, still there ought to be introduced à power enabling the Government from time to time to relax the restrictive provisions of that Bill. This opinion had been expressed by the hon. Member for Kendal, and by the right hon. Gentleman the Member for Huntingdon, both of whose names were put upon the Committee. He was not aware of any other diversity of opinion on the subject of the currency than what he had enumerated. Those opinions ranged from the extreme points of an inconvertible and depreciated paper currency to a currency based upon bullion as provided by the Act of 1844. Now, all the names he had mentioned were proposed to be put upon this Committee. He believed that the Committee embraced persons who fairly and fully represented every possible shade of opinion upon the subject. He would briefly allude to one or two other points. It had been said that Scotland was not fairly represented in the Committee. Now, he himself did not attach much importance to having members from particular places, provided all the different opinions were represented in the Committee. But it was well known that Mr. Hume entertained strong opinions upon the subject, and the resolutions of which he had given notice fully represented the opinions entertained by the bankers of Scotland. But the question essentially was, whether there should be an issue of notes beyond a certain amount, without being based on a deposit of bullion? The question was essentially the same in all three countries. There was, however, some difference of opinion in Scotland between different classes of banks; and in order that there should be no complaint on the part of Scotland, he had proposed the name of a gentleman, Mr. Home Drummond, who was a director of one of the chartered banks in Scotland. In respect to Ireland, he had proposed the name of Mr. Tennent, the Member for Belfast. There were six banks of issue in Ireland, three of which were in Belfast, and five out of the six had a direct interest in Belfast; he thought, therefore, that it was very proper the Member for that town should be a member of the Committee. It had been objected, among other things, that the West Riding of Yorkshire was over-represented in the Committee. Now, it so happened that he was connected with that riding; but holding the responsible situation which he held, he could not attribute his place in the Committee to any connexion with the West Riding; as Chancellor of the Exchequer he should be on the Committee, whether he sat for a borough in the West Riding of Yorkshire, or for any borough in any other part of Her Majesty's dominions. He had put the name of Mr. Cobden on the Committee without the slightest reference to his being a Member for the West Riding; but because that Gentleman evinced considerable knowledge of the subject in his evidence be-

convince them that to look for any relief or alleviation of their sufferings to any Committee, or to any report of a Committee, was a perfect delusion; and that it was impossible for either relief or alleviation to come from such a source. He could not understand the principle on which it was proposed this Committee should be appointed. Sometimes it appeared to be geographical, and that a certain number of Members were to be appointed from Scotland, a certain number from Ireland, and so many from the north, south, east, and west of England. At another time it was proposed to represent interests; that there should be some of the great manufacturing interests, some to represent those of agriculture, others banking, and so on. But he did not clearly see what advantage this would produce. If the great manufacturing interests were summoned, all the Gentlemen representing them could do was to tell the House they were in great distress —that they had bought dear and must sell cheap—and that their money was gone. Everybody knew that already. He was quite at a loss to understand how the House could be much benefited by this. The question for the House to consider was, what they wanted to do in appointing this Committee. Did they want to get rid of this dull uninteresting debate by shutting into a room upstairs every Gentleman who troubled them with his opinion on the subject? If that were their object, he thought the House had not acted unwisely in the course they had pursued. But if the representatives of various opinions were to be summoned to serve upon it, he would just suggest that the larger the Committee the more discordant it would be. If it were their object that any practical suggestion should be made, it appeared to him the very essence of the Committee that they should at first all be agreed on the nature of the subject to which they were about to apply themselves. Suppose the House in its wisdom decided on appointing a Committee to ascertain the extent of railways at present in existence throughout the country, and that half a dozen hon. Members were, in obedience to its mandate, to start on the expedition, what would be the result if some two or three of them, on coming to the first line of rails, were to take a foot-rule out of their pockets and proceed to measure with it, and that all the other gentlemen exclaimed, "Oh, that won't do; you are using the old foot-rule, with which you measured turnpike roads and footpaths under the old *regime*. It won't answer now. You must have an expanding rule to measure railways." There might be gentlemen who would propose a measure of length (as Mr. Cobbett did once), to be determined by the vibrations of a pendulum of a certain length and weight, and at a certain temperature, according to the chord of the arc it described; and this might excite much laughter and ridicule, and be called most visionary, as it was at the time. Their opponents would assert, "Everybody knows what a foot-rule is—it is twelve inches." "But what is an inch?" "Oh, it is three barleycorns." The House will perceive that until these Gentlemen were agreed on what the rule should be, it was impossible for them to make any report on the length of the railways in that country. Let them suppose, again, that they appointed a Committee to inquire into the quantity of corn imported into the country under the new law, and that they proceeded to calculate it according to the old measures. What would be the result if they were met by the cry, "Oh, these are the old measures—you must have free trade in bushels as you have it in corn—you cannot measure by the small bushels that did when you only had a home trade." They must go back, in fact, to the old theory, and must proceed to take a fixed measure of quantity to measure corn and everything else capable of being measured with accuracy; and unless the Committee were decided on this point, it was quite evident they could not proceed to any report at all. They had all heard of the rise and fall in prices. Did not those very words refer to a fixed standard, not to one which was moveable, and which rose and fell with the thing to be estimated? As in the case of the pendulum, they had got to another measure, which was a measure of a certain diameter and height—which, filled with water at a fixed temperature, was called a pound, and was the measure of all weights—the measure by which the mass of all the lead, iron, gold, copper, &c.. in the empire was determined. And now they came to the last point. What the House wanted was a fixed measure of values. They had already got that fixed measure, because all mankind having agreed to trade by weight, in their fixed pound of gold they had that by which they could measure all their relations with other countries. The pound of gold was fixed, and gold was the metal

by which alone all the nations of the world settled their different accounts, and which the State took and stamped in pounds, or aliquot parts of pounds, so as to provide us with the standard by which everything else was measured. There was no meaning whatever in the words "high" or "low," "cheap" or "dear," save in reference to these stamped and fixed pieces of gold. He must, before he sat down, warn the House against being led away by another delusion that existed respecting free trade in banking. Banking was free as air. The only thing that was not free was the privilege of making and issuing paper money. The whole demand that Scotland made was to have that power, and to be at liberty to coin as much paper money as was required. He did not think the opinions of what was called the Birmingham school were incompatible with what he had stated; but the only advantage of the principle he advocated would have been that it would, at the time, have liberated a considerable quantity of capital; and the same effect would have been produced by the system of the hon. Gentlemen opposite. This would have been the whole of the benefit to be expected from these principles, if carried into effect; but it was a delusion to suppose that any alteration whatever of system or systems could permanently prevent commercial crises. The House must rest certain, and receive it as a fixed commercial law, that whenever and wherever the price of money was as low in trade as it was in the public funds, over-trading would go on, and commercial crises and difficulties would follow. He concluded, as he began, by asking the House—what did they want? If it were to get rid of what, he confessed, was an exceedingly dull subject, which, like political economy, was very uninteresting, but at the same time very useful, they could not have done better than in taking the course they had adopted; but if it were their intention that any practical result should follow from the appointment of the Committee, let them see that the persons appointed to it were agreed on those principles which were the A B C of the whole question.

Mr. BERNAL OSBORNE quite agreed with the hon. Gentleman who spoke last, that if the House wanted to get rid of the question, they could not do better than lock the twenty-six Gentlemen of the Committee in a room upstairs. The House seemed to him to be enacting a scene from *Much Ado about Nothing;* for if any hon. Member was weak enough to suppose that anything would result from the Committee, there was not, he believed, a single man out of doors, even among the working classes, who was at all interested in the report; for if there was one fact more clearly laid down and demonstrated than another, in the very clever speech of the right hon. Baronet the Member for Tamworth, it was the total inutility of any Committee at all. The right hon. Baronet entered into the whole history of every Committee that sat on the question, and had told them there were no less than 15,000 questions and answers in evidence before them. If any hon. Member would turn back, and look at those answers, he would see that some of them, especially those of Mr. Jones Loyd, were essays on banking in themselves. Every one knew the appointment of the Committee was nothing more nor less than a mere pretext to shelve the question. While the commercial world out of doors were looking for some expressed opinion from the Government, assisted by the right hon. Baronet, who had kindly thrown his shield over them for the occasion—they were about to send twenty-six unhappy Gentlemen upstairs to be locked up in a room, and at the end of two years probably they might publish some four or five volumes of a report, and the public would be just as wise as ever. It was quite true he had voted for this Committee; but he was not at all aware at the time that he was voting for the appointment of these Gentlemen. The fact was, he had been so much led away by the clever and brilliant speech of the right hon. Baronet (Sir R. Peel), that he would on the instant have followed him anywhere. But reasoning calmly and quietly over the matter next morning, and seeing the upshot of the debate, and that it had all ended in the appointment of this Committee, his views were altered, and he greatly regretted he had not followed the noble Lord the Member for Lynn (Lord G. Bentinck) into the other gallery, because he now thought the House would have exercised a sounder discretion, and have given greater satisfaction to the public, if they had entered into the subject in a Committee of the whole House. He had no criticisms to offer on the nomination of Gentlemen to serve on the Committee; but he maintained, that if they wished to get a fair judgment on the Act of 1844, it would have been better to have selected twenty-six Gentlemen who had not expressed any opinion on the subject,

and who would be much more likely to arrive at a clear conclusion if they had never read any books or pamphlets about it. As it was now constituted, every hon. Member would be busy fighting for his own theory; and it was nonsense to suppose the Committee would have any weight with the public out of doors. The public knew, in fact, that the appointment was merely made to shelve the question. Although he knew it was perfectly useless to do so, he meant to propose an Amendment to the nomination of the Committee. As far as in him lay, he would endeavour to do that justice to Ireland of which they heard so much from some hon. Members in the House. When an hon. Member from that country displayed so great a talent for business, and so great a knowledge of this subject, as the hon. Member for Dublin (Mr. Reynolds), it was not fair he should be omitted from the Committee; and he would propose, therefore, that the hon. Gentleman's name be added to it, in place of the hon. Member for Montrose (Mr. Hume), and would certainly divide the House upon the question. He entertained the greatest respect for the business capacity of the hon. Member (Mr. Hume), and no one could more highly estimate his services; but that hon. Gentleman had confessed to him in private his belief that the Committee would be quite futile. The hon. Member concluded by moving that the name of Mr. Reynolds be substituted for that of Mr. Hume.

Mr. NEWDEGATE concurred in a great deal that had fallen from the hon. Member for Middlesex. Looking at the question in a practical point of view, he considered that the alterations proposed by the noble Lord beside him and the hon. Member for Finsbury were requisite to ensure a due investigation of the effect of the Act of 1844 upon prices in this country. He (Mr. Newdegate) had asked the right hon. Baronet the Member for Tamworth in 1844 what would be the effect of that Act; but though the answer of the right hon. Gentleman was perfectly courteous, it told him nothing, which induced him (Mr. Newdegate) to come to the conclusion that the right hon. Gentleman had not made up his mind upon the subject of his own measure, and that he scarcely contemplated its result. He (Mr. Newdegate) was most anxious, therefore, for an impartial Committee on the present occasion. The misfortune attending former Committees was, that they one and all approached the question for examination with a strong bias. He trusted that it was not now about to be shelved by the appointment of a Committee with a similar view, who would evade the great practical point at issue—namely, the effect of the Bill upon prices. Some of the hon. Gentlemen proposed were certainly men of great experience; but the hon. Member for Birmingham was largely connected with the home and foreign trade and manufactures of the country, while the hon. Member for Dublin had a practical knowledge of the effect of the Act of 1844 in Ireland; and, therefore, their exclusion was not only to be regretted, but was unjustifiable. Then, with all possible respect for the hon. and learned Member for Liverpool, he could not conceal from the House the fact that the hon. Member for South Lancashire had a larger practical knowledge of the operation of that measure upon the trade of the country; while, as regarded the hon. Member for Stoke-upon-Trent, all he should say was, that there were so many persons entertaining the opinions of that hon. Member already on the Committee that few would deny the substitution of the name of the hon. Member for Oxfordshire would be for the general advantage. It was the same with respect to the hon. Baronet the Member for the Tower Hamlets. In his opinion, the names proposed to be substituted by his noble Friend and the other hon. Members would give more confidence in the Committee to the country at large than was likely to be given if they stood as proposed by the Chancellor of the Exchequer; and he trusted, therefore, that the right hon. Gentleman would not oppose the change sought to be made on it. The Committee were to take into consideration the commercial distress of the country, and he hoped that they would not be cramped by the assertion and maintenance of individual theories. He hoped that the Committee would not only decide upon the standard of value, as suggested by the hon. Member for Surrey, but that it would also decide on the number of standards required by the country. The real practical difficulty to be dealt with was the limitation of the standard to gold. The Act of 1816 excluded silver, and constituted gold as the standard for all practical purposes. The right hon. Baronet the Member for Tamworth said, that this country would not go to the expense of enlarging the currency: if that was the case, the Committee ought to report it. He hoped the House would not trifle with the question; and he could

assure it that the country would not be satisfied if any attempt was made to shelve it. The House might exclude all discussion of the effect of the Act of 1844 upon prices from the functions of the Committee; but it might rest assured that it could not exclude them from taking place outside its walls; and he moreover assured them that Her Majesty's Government would forfeit the good opinion of the country if it took any steps to suppress such discussion with the view of shelving the question really at issue. He, therefore, hoped there would be no effort made to blink the operation of the Act of 1844 upon prices; and that the House would support its own credit by insisting on the fullest inquiry.

Lord G. BENTINCK: It was not my intention to have attempted to address the House until my proper turn came, and the name of Mr. Labouchere should be proposed as a Member of the Committee; but I feel that I may be consulting the convenience of the House if I rise now and endeavour to draw back its attention to the real matter under consideration—and, if possible, prevent the debate from running into one of the general currency question. It is not my intention, from any thing which has fallen in the course of this discussion, to be tempted into saying a word upon the currency question, but I shall address myself entirely to the construction of this Committee. And, perhaps, I shall also suit the convenience of the House by discussing at once the whole question of the alteration I propose in the Committee; and, although it may be necessary to take several divisions, I will not again trespass upon its indulgence.

In proposing to exclude the names of different Gentlemen from the Committee, I can assure those Gentlemen I do not mean the slightest disrespect or discourtesy towards any of them. I am, by the circumstance that the House stands already pledged to put twenty-six Members and no more on the Committee, reduced to the invidious necessity of excluding the names of certain Members. Addressing myself to the right hon. Gentleman opposite (Mr. Labouchere), I can assure him that if I had my choice of all the Members of Her Majesty's Government whose names are placed on this Committee—if he were not fettered by the obligations which I think properly attach to him of submitting his judgment to that of the Government to which he belongs, there is no name which I would so willingly retain as his. I, in common with other Members of the House, hold in the highest estimation the talents and honour of that right hon. Gentleman. And so, in addressing myself to the hon. and learned Gentleman the Member for Liverpool, I say the same to him. No man can appreciate more fully than I do the great talent and ability of that hon. and learned Gentleman; but, seeking, as I do, to reconstruct the Committee in the least invidious and personal manner, I thought the best course which was open to me was to select for exclusion the two hon. Gentlemen on either side whose names stood lowest down in official rank. This was my sole inducement for selecting the names of the right hon. Gentleman the President of the Board of Trade, and the hon. and learned Gentleman the Member for Liverpool. In proposing the exclusion of other Gentlemen, I may say in like manner, in addressing myself to the hon. Gentleman the Member for Stoke-upon-Trent, that I have selected him for exclusion, as representing the least large commercial or manufacturing interest in this country. In proposing to exclude the name of Sir William Clay, I selected him because I thought that both sides ought to be represented, as regards the city of London; and, whilst the noble Lord the Member for the city of London ought to be placed on this Committee, it was proper that some other Member, representing the commercial interests of the city of London, and one not fettered and tied down as the author of a work upon the subject for consideration, should be placed upon the Committee. When the right hon. Gentleman the Chancellor of the Exchequer says that, as far as he can dissect the Committee, there will be fourteen Gentlemen who will take the same views with myself, and only five the opposite view, I confess I am disposed to think differently on the subject. First of all, as the Committee now stands, we have nine Members or ex-Members of the present and late Governments. Now, we know perfectly well that every Member of a Government goes into a Committee with his mind fettered—that he is disabled from exercising his own judgment—and that he must adopt the course pointed out to him by his leader. I rather think that the Chancellor of the Exchequer will take the lead in that Committee, and then all the other Members of the Government will, of course, abstain from any inconveni-

ent cross-examination—and, of course, will vote, through thick and thin, with their leader. And, when my right hon. Friend speaks of past, present, and future Governments, I beg to say that there is a great difference between such Gentlemen as my friends the Protectionists, who act independently upon their own judgment, and who are not bound in any way, except so long as they may approve, for the day, of the course which may be recommended to them—and those who have eaten the king's salt. The right hon. Baronet who framed the Bank Charter Act, and the Chancellor of the Exchequer, are intimately agreed on this subject; indeed, I might almost say that, for all practical purposes, the right hon. Baronet the Member for Tamworth is the Government on this question. Nothing was done, we remember, in the way of relaxation until he came to London; and we have learnt in the course of that debate which, for us, was inconveniently burked, that he also entirely approved of everything that was in the letter of the Chancellor of the Exchequer. Were such facts to be brought before a jury, I do not say that such a jury would not even find that the right hon. Baronet had actually dictated that letter. Well, Sir, I repeat, it strikes me as being a fundamental vice in the construction of this Committee, that it is overwhelmed and swamped by nine Gentlemen who, on all disputed questions, will be banded together as one man. Why, Sir, my friends the Protectionists, and the opponents of the Bank Charter Act, have all their peculiar and different views on the various questions which will arise. They are not pledged to particular views on those questions, as are the two parties who are bound up in the maintenance of the law. What the country desires is, not to see the question referred to a Committee composed so largely of old Members. They want to see some new blood infused into it. The Chancellor of the Exchequer tells us that he has selected the Committee in the hope of obtaining an impartial judgment from them. Now, it is precisely because I do not expect such a judgment, that I object to the construction of the Committee. The line of the Government is quite decided. I do not know whether the Chancellor of the Exchequer and the Premier have pledged the Government to stand or fall by the Act of 1844; but this I do know, that the Government must be so disposed. It is true that the noble Lord did consent to break through the bulwarks of that Act; but when did he do so? Not until houses had failed to the amount of fifteen millions. He had refused the deputation from Liverpool; and here, though it is out of the order of my remarks, I may take leave to state the reasons why I propose to nominate the Member for South Lancashire (Mr. W. Brown) instead of the hon. Member for Liverpool (Mr. Cardwell). As the Committee stands at present, there is no representative of the cotton manufacturing interest. The hon. and learned Member (Mr. Cardwell) cannot be considered to represent the cotton interest of Lancashire; and although no man thinks higher of the interests of Liverpool, or that it ought to be represented on the Committee than I do, still I may be permitted to doubt whether the hon. and learned Member does entirely represent the feelings of Liverpool on this subject; and I do not think I am doing any unkindness to the hon. Member in excluding him. I am sure he must feel the great difficulty in which he would be placed. As a Member of the late Government he is attached, bound hard and fast, to the opinions of his leader—I say nothing against such attachments—no man admires such attachments more than I do. Still, how would the hon. and learned Member be placed, nominally representing Liverpool on the Committee, and yet holding opinions such as those he has expressed? See how he would be situated—divided between the worship of God and mammon, and how strong the temptation to follow his old leader! But I have another reason. When that deputation waited on the noble Lord the Member for the city of London, although the hon. and learned Member was dragged up to attend it, he was in fact nothing more than the master of the ceremonies, doing the ornamental part, while the hon. Member for South Lancashire was the spokesman doing the useful and business part. Therefore I think I am justified in saying that, as far as the commercial interests of Liverpool are concerned, Liverpool has by anticipation selected the county Member, in preference to their own Member, to represent the true causes of the commercial distress there. I hope the hon. and learned Member will see that I mean no disrespect or discourtesy of any kind to him. Let us now look a little to the constitution of the members of this Committee. I do not wish to speak disrespectfully of any of the other members of the Committee, for my

own name stands at the head of those of whom I am speaking. When you appoint on a Committee a Prime Minister, an ex-Prime Minister, three ex-Chancellors of the Exchequer, and an ex-Secretary of State for the Home Department, who have sat upon such Committees before, and who are accustomed to extract evidence, other independent Members of the House, who have not been accustomed to sit upon such Committees, and who have not the advantage of the experience of the evidence given on former Committees, will be a very bad match for Gentlemen having that experience, and who are bound together as one man to a particular view of this subject. So that, even if the numbers proposed were equal, still the constitution of the Committee would not be fair. I believe the rest of the House is represented by one ex-Cabinet Minister, and, therefore, I say, that we shall be most unequally matched in quality, even if we were not very much overmatched in quantity. But I think there is another view that may be taken of this matter. I find upon this Committee six Gentlemen who were stated the other night to be Peelites. Eleven more are strong Whigs, and are generally united with the Peelites as one body. Therefore, as the Committee is now constituted, you have seventeen Members who, generally speaking, are of one way of thinking. One of those seventeen—the hon. Member for Montrose—does not mean to sit upon the Committee. I am not disposed to bind the hands of the Committee. A Committee with its hands bound would be of no use. I have now explained why the interests of Lancashire, the cotton interests, and the commercial interests of Liverpool, would be better represented by the hon. Member (Mr. Brown)—a Gentleman who differs as much as possible from me. At the same time, out of the four new names I have suggested I have named but one hon. Gentleman who usually holds the same opinions, and goes as I do. I now come to the case of Scotland. The right hon. the Chancellor of the Exchequer says he has taken care to name among those said to be impartial, those hon. Gentlemen who had not taken a very stirring part in politics. But I think I may name, as those who have taken a stirring part in politics, the hon. Member for Perthshire, and the right hon. Gentleman the Member for Tamworth. I may also say that their opinions do not coincide with those of the people of Scotland on this subject. The hon. Member the representative of Perthshire is the representative of a chartered bank, possessing a degree of monopoly, and is rather in opposition to the general feeling of the people of Scotland. When I name the hon. Gentleman the representative of the city of London, every man here will feel that no man understands better than he does the business and interests of the city of London. But there is another reason why Mr. Pattison should be on the Committee, and that is, the Bank of England is on its defence. The Bank of England, as the Committee is now constituted, is represented by one Member only, my hon. Friend the Member for Westmoreland. We have strong reason to feel how necessary it is that the Bank should be represented on that Committee, and how necessary it is to have some Gentleman on that Committee who is himself cognisant of the Bank affairs. But for the hon. Member for the city of London, we should have been led to suppose that there had been an entire agreement between Her Majesty's Government and the Bank of England as to the division of the profits of usury. And but for the appointment of the one single member of the Committee, to whom I have before referred (Mr. Alderman Thompson), we should have taken as a matter of course the statement of the Chancellor of the Exchequer, and no one on that Committee would have thought of asking any questions on the subject. This shows how necessary it is to have on the Committee Gentlemen who will represent the Bank of England. Both the late and present Government concur in making that Bank the scapegoat of the Bill of 1844—imposing upon it a great portion of the blame due to that measure. How necessary is it, therefore, that the Bank of England, as well as the commercial interests of the city of London, should be adequately represented in this Committee. And I have an especial right to say the commercial interests of the city of London, for it was the banking and commercial interests of the city of Loudon which at the last moment prevailed upon the Government to take off the restrictions of the Act of 1844. When the hon. and learned Gentleman the Member for Liverpool and his deputation went up to the noble Lord at the head of Her Majesty's Government, the Chancellor of the Exchequer distinctly told that deputation that there was no hope for them. Then there came another deputation from the town of Birmingham,

headed by the hon. Member for Birmingham, Mr. Muntz, and by my hon. Friend the Member for Warwickshire. The Government were not quite so obdurate on that occasion. They did not say, "There is no hope for you." The noble Lord made a sort of willy-nilly answer. "I do not say I will, or I will not," was the noble Lord's reply. It was not till the Saturday, when the bankers and merchants of the city of London paid a visit to the noble Lord, that Her Majesty's Government at last relented. Happily they came in upon the noble Lord at the time when, unprotected by the Chancellor of the Exchequer, the noble Lord was without his chaperon, and, thus abandoned to himself the noble Lord had nothing left but to imitate the example of Donna Julia, when, resisting the warm advances of Don Juan—

> "A little still she strove, and much repented,
> And whispering 'I will ne'er consent'—consented."

This was the way the bankers of the city of London at length prevailed upon the Government to take off that restriction; and we have the authority of the Chancellor of the Exchequer that it was no sooner taken off than the difficulty passed away. One and all said, "Pray do something for us—pray take care of us—only say you will take care of us—only shed the divine light of your countenances upon us, and all will go right with us;" and so at last he yielded and told us "he felt he should not have done his duty unless he consented to remove those restrictions, and that the moment he did so that tens of thousands of bank notes came out of tens of thousands of tin boxes, and there was an end of the panic." Finding, then, that it was the city of London which at last succeeded in taking off the restriction, I ask whether it is right that the city of London should go altogether unrepresented in this Committee? I think clearly not, and therefore propose to insert the name of Mr. Pattison instead of that of Sir William Clay, whom I respect very much for his independence and straightforward conduct; but I think he is so bound down by the book he has written that he is not fitted to exercise an unshackled judgment. I also propose to exclude the name of Mr. Ricardo. He has no connexion with the commercial and manufacturing interest. The hon. Gentleman is, I believe, a stockbroker, and as such can have little sympathy for the commercial distress of the country. I do not consider that the interests of a stockbroker can be considered a national interest in this country. The hon. Gentleman is, by hereditary right, the representative of the strongest opinions on the subject of currency. It will never be erased from the recollection of the country that it was in a great measure owing to the opinions given by the father of that hon. Gentleman, the late Mr. Ricardo, that the change took place in 1819. I have, therefore, to propose that, instead of the name of Mr. Ricardo, the name of Mr. Henley be inserted. The noble Lord concluded by moving the exclusion of the name of Mr. Labouchere, and the insertion of Mr. Hastie instead; to leave out Mr. Cardwell, and substitute Mr. William Brown; to leave out Mr. Ricardo, and substitute Mr. Henley; to leave out Sir William Clay, and substitute Mr. Pattison; and, in the room of Mr. Wilson, to substitute Mr. Muntz.

Mr. WAKLEY said, that in his opinion the resolution of the House for the appointment of the Committee ought to be rescinded. He was quite sure that that would be the best course both as to the business of the House and the feelings of the country at large. His hon. Friend the Member for Middlesex had said the truth, the simple and naked truth, when he stated that out of doors it was the universal opinion that this Committee was proposed for the purpose of shelving the question, and shirking a full, complete, and efficient inquiry into the operation of the Bank Charter Act of 1844. Practically the right course to pursue would be to rescind the resolution they had agreed to, and appoint a Committee of impartial, unpledged, and uncommitted men, to inquire into the operation of that Act. That was the right course; but necessarily, because it was so, the House would not adopt it. It never did. The chance of adopting the right, or, in fact, any course in that House, was in the inverse ratio of its propriety. He was quite sure the House would not take that course. The Committee was appointed, and in nominating it the Chancellor of the Exchequer had had a most difficult duty to perform. It was difficult to prescribe for a disease; but the right hon. Gentleman had been placed in the painful position of having to select the doctors who were to prescribe. The patient, in this case, was almost moribund. The Chancellor of the Exchequer had been called upon to name the doctors. Did they come to their patient

as they ought? Did they come to him free from prejudice—free from bias—free from convictions which would not be changed whatever facts might be presented to their view? No. The right hon. Gentleman had selected doctors who had already prescribed for the patient, and they had pretty nearly killed him. The poor patient was John Bull. One set of doctors said there was something the matter with his head; another set said his spine was out of order; another said it was a difficulty of breathing—a shortness of breath; and another said there was something wrong with regard to the circulation—that the circulating medium was out of order. Those doctors had already prescribed their course of treatment, in defiance of facts that ought to have convinced all impartial and philosophical men that they were wrong; they were committed, and so committed and pledged that there was no hope of any investigation they might make with regard to the condition of the patient altering their opinion. They would prescribe their old remedies. One would be for probing the spine; another be for working with his digestive remedies; another for attacking the stomach; another for trying the ordinary gold remedy; whilst another would advise his caustic and silver anti-sudorifics. Their treatment would be diversified—diversified as to opinions and actions—when they were sitting in conclave upon the patient; but they would have their old prescriptions at last, because there was a majority in favour of them. Why, then, that waste of time? Why occupy many months in such a process of incubation? What would the House gain by it? An old hen sitting in a farmyard in assiduous attention to her duties would do more for the farmyard than the labours of this Committee, if they sat for six months, would do for the House. He therefore proposed that the Committee should not sit at all. He trusted the Government would see the objection to it, and give up the intention of engaging the attention of twenty-six hon. Members in pursuing such a fruitless inquiry. He knew that the hon. Member shrank from an investigation into the facts or the effect of the Act of 1844. They said that that would occupy many weeks, but they were to inquire into the causes of commercial distress. When would they come to the Bank Charter? Probably next June, or June in 1849. The doctors had been already at work; some had received their fees, others had not been called in and had not received their fees. But there was another party besides the ins and the outs—a party to which he had the honour and pleasure to belong—the Radical party. Upon that Committee there was one Radical Member, his hon. Friend the Member for Montrose, and he declined to serve. In the place of his hon. Friend, he proposed to put another Member of that party—a hardware Gentleman, who had got a very hard head, with some brains in it, and, speaking physically and physiologically, they were of the right sort, and it was only necessary to look at the hon. Gentleman to see that he understood this question. There could be no doubt that it was one which had necessarily engaged much of the hon. Gentleman's attention. He proposed, therefore, to insert the name of Mr. Muntz, instead of the name of his hon. Friend the Member for Montrose. It was not necessary that he should offer any apology to his hon. Friend, because he had declined to serve. No person would more value his services upon this Committee; but he had a great regard for his hon. Friend's health, and at his period of life he ought not to be placed in such a situation. His hon. Friend (Mr. Muntz) might, he thought, withstand the difficulty in which he would be placed. That hon. Member was a manufacturer—an employer of labour—he had investigated this subject; and he was also a very large foreign merchant, and understood the question of exchanges, though he believed the Government imagined that there was but one man in England besides the right hon. Gentleman the Member for Tamworth who did understand that question, and that was a very wealthy man; but he was also told that that individual was very desirous of increasing his wealth. He wished not to speak disrespectfully of an hon. Gentleman who was not in that House to answer for himself; but upon a question of this kind, which affected the industry of the country and the condition of millions of the poor, a wealthy and covetous man was the last he would appeal to. He hoped that the Gentleman was not covetous. For his own part, he mentioned no names. Surely, if a Gentleman presumed to advise Her Majesty's Government on matters of such high importance as the currency and monetary affairs of this kingdom, and if the Government thought it right to adopt the advice of that Gentleman, there was no reason why persons should refrain from all

allusion to him. It was with great regret that he made any personal reference to that Gentleman; but he had been told that actually he would not incur the legal expense which was necessary to procure him a seat in that House. He might be quite wrong, and the hon. Member for Westbury seemed quite shocked at the idea. It was with pain that he made reference to any one that could be displeasing; but in a question of such great importance, involving as it did the welfare of millions of poor people, he felt bound to say that rich men were not in his opinion the first who ought to be consulted. Generally speaking, they had a morbid desire not only to retain their wealth, but to get as much more as they possibly could. The constitution of the Committee was, in his opinion, most objectionable; but that point had been so fully discussed by the noble Lord, that it was unnecessary to enter upon it now. The right hon. Gentleman had not made the selection he ought with reference to the industry of the country. It was true the right hon. Gentleman had selected two railway directors and employers of labour; but they were employers of labour by their connexion with a public company, and he wished to see those on the Committee who were employers of labour on their own account, single-handed, and who consequently knew the wants and condition of the labouring classes. He had selected Mr. Muntz for the Committee, as a gentleman who had conducted his own business with great credit and repute; as a man of business, as a gentleman much respected in private life, and as one who was believed by a large class of persons to be as well acquainted as any man in the kingdom with the currency question. He had put down the name of the hon. Member for Birmingham without having consulted him; and afterwards that hon. Gentleman had expressed his regret that it had been done, expressing his intention not to serve on the Committee. However, he believed the hon. Member had since changed his mind, and it was to be hoped that the country would receive the benefit of his services; for he would be both useful and ornamental as a member of such a Committee.

Mr. HUME did not wish to appear in the attitude of shrinking from his duty, in declining to serve on this Committee. It was true he was not so young as he had been; but it was not on account of age that he had refused, for he was as well able to serve on a Committee as ever he had been. His refusal had been induced by the conscientious conviction that the appointment of this Committee was placing the important concerns of this country in abeyance, as it were, and handing them over to a Committee to devise means and to ascertain the causes of the distress, instead of the House itself entering upon the inquiry whether the course which had been followed for the last forty years with respect to banks of issue and for the regulation of the currency—when they might as well attempt to regulate the stars—had been beneficial or injurious to the country. The Members proposed for that Committee were men who had fixed their opinions upon these matters, as he himself had done; and their opinions were adverse, as he believed, to the principles that ought to regulate the commercial affairs of this country. Twenty-five years ago he had complained, not of the conduct of the Bank of England, but of the system under which it had been placed; a system under which it could not do its duty. The right hon. Baronet had remarked the other night that certain of the houses which had recently failed ought to have ceased to do business long before, for they had not the capital; and that was just one of the great objections he had to the constitution of the Bank of England and to the currency system of the country, for the Bank was constituted a great bill-broker, and when there was a pressure upon the market it could not come forward to support credit and relieve the distress; for what did they do with the Bank? They took away the whole of its capital. It was shameful that under the present system a great commercial country like this, with the command of so many millions, should be obliged to borrow money to pay the dividends at the Bank. There was another objection which he had formerly made to the present system, and which involved a point that the House itself could decide upon much better than any Committee—it was whether there was anything peculiar in the trade of banking which should take it out of the scope of those rules which ought to regulate all other trades. The House had now come to the conclusion that commercial restrictions were bad, and ought to be removed; and, having so decided that point, and having determined that monopolies were the bane of commerce, he wanted to know what there was in the trade of banking that should take it out of the category,

Why were the principles upon which banking was regulated to be different to those of any other trade? He made these remarks with reference to the banks of issue. As to the Committee itself, the right hon. Gentleman the Chancellor of the Exchequer had selected Members whose opinions upon the subject were predetermined; but, after all, it was a common-sense question, resolving itself into this—whether there was anything in banking which should exempt it from the ordinary rules of trade. He objected to going into Committee altogether, for they would be going away from the root of the evil. For thirty years they had been trying to regulate their trade and commerce by Acts of Parliament, and, after all their labour, what had been the result? In 1825 the country had lost 250,000,000*l.* during the crisis; and he believed that 150,000,000*l.* would not cover the loss during the panic in the present year. And who could tell the amount of private loss and distress that had occurred during the same period? He contended that the constitution of the Bank was wrong in principle, and nothing that a committee could do would cure the evil. What was the state of the Bank when the Government interfered in October last? There were 20,000,000*l.* of deposits, and the reserve of bank notes which the Bank had to pay those deposits was 1,150,000*l.*; and let the House observe that those notes were not all in London, but were divided amongst thirteen banks of issue, one of which he had heard had lent 40,000*l.* or 50,000*l.* in one transaction to keep up a bank that was in danger in the north. An advantageous contrast to our system was presented by the systems of banking in Scotland and America. In the former country, notwithstanding the great issue of paper, there had been scarcely any variation in the circulation during the whole of the panic. He had no hesitation in saying that the Chancellor of the Exchequer, the right hon. Baronet the Member for Tamworth, and the whole of our recent legislation of banking, had been under the orders of Mr. Jones Loyd. He was prepared to show that there was no man in existence who had offered opinions to the Committee of that House more absurd or more contrary to common sense than that gentleman. On the 17th of July, 1840, Mr. J. Loyd was asked—

"What in your opinion are the sound principles according to which the circulation should be regulated?—A metallic currency, according to its intrinsic value, will regulate itself; but a paper currency, having no intrinsic value, ought to be subjected to some artificial regulations respecting its amount."

He was next asked what he included in the term "circulation." And his reply was, "Metallic coin and paper money payable in metallic coin on demand." The answers of Mr. Loyd were most deliberate, and he had reason to believe had been duly considered before his examination. He (Mr. Hume) had been requested by hon. Members on that Committee not to interfere with the main inquiry; he had accordingly allowed Mr. Loyd to be examined from first to last, until he was exhausted, and then he begged to be allowed to examine him. Hon. Members would allow him to explain—he meant when Mr. Loyd's voluntary course of examination was over. He would ask any hon. Member to read the questions put by him, and answered by Mr. Loyd, on that occasion, on which that gentleman attempted to fence off from that important principle which he wanted to bring out, viz., that deposits were most important to be taken into consideration, whereas Mr. Loyd held that deposits had not the same power as money in circulation. He (Mr. Hume) put this question—

"I have 4,000*l.* in my pocket at this moment. Let us suppose at least that this is the case. I have an account with the Bank of England, and also an account with Drummond's bank. I lodge in Drummond's bank 1,000*l.*, and in the Bank of England 2,000*l.*, and I keep the other 1,000*l.* in my own pocket. Is there any difference in the value of those notes? Cannot I give a check upon the Bank of England for 2,000*l.*, and a check upon Drummond's bank for 1,000*l.*, and is there any difference between those notes, therefore, and the notes in my own pocket?"

Oh, yes! it was said, there was a great difference; because, in giving an account of the circulation of the Bank of England, the deposits formed no part of that account, and were never published as part of the circulation. Why, that was his great ground of complaint. He would beg the House to read Mr. Loyd's examination, and judge for themselves how far his opinions were opinions by which they ought to be guided. He would show at a proper opportunity that the great operation had not been on the ordinary circulation, but on the deposits; that in proportion as the gold was withdrawn from the Bank of England, the deposits were lessened, showing that it was through the deposits, and not through the circulation, that the result was brought about. He would ask

the House to consider this, that if, with deposits to the extent of 20,000,000*l.*, and only 1,100,000*l.* to meet those deposits —if this was sufficient to create alarm, what would have been the result if the deposits had been withdrawn from all the private and joint-stock banks in the country, which were understood to have five or six times as much deposits as the Bank of England? They knew that the whole circulation of Scotland was only 3,000,000*l.* of bank notes; but the deposits were 30,000,000*l.* The bank directors of Scotland were blamed for keeping up the rate of interest; bnt who knew what was doing in the way of withdrawing deposits? The bank directors were the best judges, and if they did keep up the rate of interest to 7 or 8 per cent., it should be remembered that they had a circulation of only 3,000,000*l.* of currency. It was impossible for that House to form any opinion of the cause and extent of the recent pressure, unless the Committee should ascertain what proportion of the deposits had been withdrawn from all the private and joint-stock banks. He was only mentioning those things to show the situation in which the capital and property of every man in the country were placed by the Bank Charter Act. There was not a question of more vital interest than free trade in banking. The question of the corn laws was nothing as compared with the immense importance of the question of free trade in currency; and if they should go blindly acting on a principle which the whole world elsewhere repudiated—which common sense repudiated—and which was contrary to the practice of the last five years, when they had been liberating commerce from its former shackles, and allowing every man to carry on his own affairs in his own way—if they did this, what could they expect but the most lamentable consequences? He gave the right hon. Baronet (Sir R. Peel) credit for having established a separate bank of issue. The bank of issue, it was said, would regulate itself. He admitted that it had answered that purpose; and if there had not been a separate bank of issue, he questioned if, by this time, there would have been a bank at all. In conclusion, he begged to say, that he saw no good to be derived from this proposed Committee; but he saw great advantage in keeping the question before that House.

Mr. CARDWELL hoped the House would indulge him with a single observation, which, after the reference which had been made to the great mercantile community of Liverpool, and to the course which hon. Members were expected to take in this Committee, his sense of respect for that constituency rendered it imperative he should offer. He really did not feel at all embarrassed by any personal consideration in offering that observation; for, to the noble Lord who proposed to substitute another name for his, he owed nothing but the fullest acknowledgments for the consideration and courtesy of the manner in which that proposal had been made. His object in rising was to read to the House an extract from a speech made in that House by Mr. Horner in 1811. A charge had been made against Mr. Horner that he had entered upon the Bullion Committee of 1810 with preconceived opinions. After that inquiry was over, he was able —submitting himself respectfully to the judgment of the House—to deliver these words:—

"If it shall be charged against me that I entered into the consideration of this subject with opinions preconceived, to that charge I was liable; and, indeed, I believe evevy member of the Committee might be charged with equal justice upon the same score. But, without considering whether it be possible to commence any such inquiry free from any such preconceived opinions, I shall venture to say, not only for myself, but for the rest of the Committee, that no investigation ever was begun with a firmer determination to make the most ample, accurate, and impartial scrutiny into the subject, and to suspend judgment till that scrutiny was accomplished."

He hoped, when the present inquiry which the House had determined upon should be made, that every member of the Committee would be able—submitting himself to the judgment of the House—to say, as Mr. Horner had said, that the inquiry had been entered upon by the Committee with the greatest determination to suspend their judgment until such inquiry was concluded. For himself, he only wished to say, that if his hon. Friend the Member for South Lancashire (Mr. Brown) should be preferred to him, he should make way with the greatest pleasure for one so admirably qualified to take part in the proceedings of the Committee. If, on the other hand, the House should include his name in the list of the Committee, he hoped he might be allowed to claim credit for the motives with which he entered it; for, indeed, the experience of the last three months and the knowledge which had necessarily come to him of the intense suffering which the commercial

community had endured, had not been lost upon him; and he hoped, therefore, he might, without too much presumption, be allowed to have credit for no other than this one desire—that they might be enabled to do something to give security in future to commercial transactions, and prevent, by the determination to which they should arrive, a recurrence of these great calamities.

Mr. STAFFORD could not permit the House to go to a division without protesting in the strongest manner against the terms in which a previous speaker (Mr. Wakley) had thought fit to allude to a gentleman who was not a member of that House. The hon. Member for Finsbury had stated that Mr. Jones Loyd had been in constant communication with the Members of the present and past Governments in regard to their banking legislation. Now, he (Mr. Stafford) had been informed by an authority which left him no room for doubt—but the right hon. Member for Tamworth (Sir R. Peel) could contradict him if he was wrong—that on the subject of the Bank Charter Act of 1844, Mr. Loyd had had no communication with Government whatever when that Act was brought forward. But the hon. Member had not stopped there. He had imputed to Mr. Jones Loyd feelings and motives which he (Mr. Stafford) considered to be equally uncalled-for and ungenerous. If it were unparliamentary in Members to impute motives to each other, surely the case of persons who were not Members of that House, and who could not, therefore, be present to defend themselves, ought to be included in the rule, especially if hon. Gentlemen knew nothing more than the hon. Member for Finsbury appeared to know in this case. As a Member of that House he protested against these imputations, and as a Member for Northamptonshire, and having the honour of Mr. Jones Loyd being one of his constituents, he was happy to inform the House that the character given of that gentleman by the hon. Member for Finsbury was not the character he bore amongst his own neighbours. As one who was intimately connected by property with Ireland, he also begged to remind the House that Mr. Jones Loyd was the Chairman of the British Association for the Relief of Distress in Ireland and Scotland—an association whose charitable exertions redounded not only to the honour of the nation, but to the city in which the work was carried on; and to say that the chairman of that Committee was the last person to whom a charge so unfounded could apply.

Mr. J. B. SMITH complained that so large a majority of persons in the proposed list should be of one opinion. He then proceeded to say, that he believed the appointment of the Committee of 1840 was mainly owing to a report which had been published by the Manchester Chamber of Commerce, of which he was president; in which report it was stated that a loss of 40,000,000*l.* had been occasioned by the mismanagement of the Bank of England in consequence of the expansion and contraction of the currency. He was the first witness who had been examined before that Committee—two thirds of whom, he begged to premise, were disciples of Mr. Loyd, and whose examinations were directed to bring out and establish his views. The present Chancellor of the Exchequer, who was president of that Committee, took in his hands the report of the Manchester Chamber of Commerce, and asked if he agreed in the statement that 40,000,000*l.* had been lost, as there described, by the contraction and expansion of the currency? He replied that he did. He had then placed in his hands a statement of of the issues of the Bank of England; and he was asked what was the circulation of the Bank at such a period, and what at such another period? [*Cries of* "Divide!"] If it were not the wish of the House to listen to him, he would be happy to sit down; but, as a young Member, addressing the House for the first time, he did hope they would bear with him for a few moments. His reply to the several questions that had been put to him with respect to the circulation of the Bank at different periods was in each case 18,000,000*l.*; and he well remembered the air of triumph with which the right hon. Gentleman (the Chancellor of the Exchequer) tossed his head.

An Hon. MEMBER asked what was the precise question before the House?

Mr. SPEAKER: The question is, that the Chancellor of the Exchequer be appointed a Member of the Committee.

The question was then put as to the appointment of the Chancellor of the Exchequer, which was agreed to. The names of Sir R. Peel, Lord J. Russell, and Lord G. Bentinck were put *seriatim*, with the same result. On the name of

Mr. HERRIES being put, the right hon. Gentleman rose and said, that he had been very reluctant to allow his name to be placed on the list of the Committee, but

had been induced to change his mind on its being represented to him that it would be considered a dereliction of duty if he shrank from obedience to the House, should they agree to insert his name.

Mr. PATTISON had no wish whatever to be on the Committee, which he considered to be a very unfair one. It was so considered out of doors, as it was also by many in that House. He was convinced that no good could possibly result from such a Committee, and that no fair inquiry could take place. He had no doubt that there were names on that Committee—such as his right hon. Friend the Member for Ripon, his right hon. Friend the Member for Cambridge, and others, who would be disposed to do the subject justice; and the fact being that they were not known of old as bigoted to their opinions, they would no doubt be disposed to admit their error, and what was better to correct their error. If he lived to see the right hon. Gentleman the Member for Tamworth again at the head of the administration of affairs, he had no doubt that he would see him the first to propose an alteration of the Act of 1844. He said so with the profoundest respect for the right hon. Gentleman. He was grateful for what that right hon. Gentleman had already done, and he trusted that in this matter he would add to the other services he had already conferred upon the country. With regard to what his right hon Friend the Chancellor of the Exchequer had said about his being excluded from the Committee because he was unfavourable to the Act of 1844, he did not know on what grounds his right hon. Friend had come to that conclusion. He certainly, at the time of the passing of the Bill, when asked by his hon. Friend the Member for West Surrey for his opinion of that Bill, had stated that he thought it would do very well for fine weather, but that when a storm arose it would go to pieces. But he had had no conversation with the Chancellor of the Exchequer on the subject, and he thought he had no sufficient grounds for the statement he had made. He had been asked during the recent crisis to go to the Chancellor of the Exchequer and represent the real state of matters to him; but he said he would do no such thing—others might go if they chose, but he knew the right hon. Gentleman better. He knew that his mind was made up, and that they might as well attempt to kick down the Nelson Column or the Duke of York's Pillar with their feet as to move the resolution of the right hon. Gentleman.

The name of Mr. Herries added to the Committee.

On Mr. Labouchere being proposed,

Lord G. BENTINCK moved as an amendment, that the name of Mr. Hastie be substituted.

Mr. HASTIE hoped that the noble Lord would withdraw his Motion, because he was satisfied that, if a division took place, and the result should be that Mr. Labouchere was not to be upon the Committee, it would neither be satisfactory to the House nor the country. The right hon. Gentleman occupied the position of President of the Board of Trade; and if an inquiry was to take place as to the influence the present system of banking had upon the interests of the country, then, he thought, it was essential that the head of the department of the Board of Trade should be a Member of that Committee. He hoped, therefore, the noble Lord would withdraw his Motion.

Mr. LABOUCHERE would trouble the House with a very few words on this question. In the first place, he begged to make his acknowledgment to the noble Lord for the gratifying expressions he had used towards him when announcing his intention to move the present Amendment. He could assure the House that he had no personal feeling on the subject. He thought the Motion of the noble Lord a perfectly fair one; because if the noble Lord thought the Committee was improperly constituted, and that there was in it too great an infusion of Members holding the same opinions, it was perfectly right in the noble Lord to move the omission of any person who had been proposed. He could therefore assure the House that he had no feeling on the subject. On all occasions of this kind, when it was proposed that the names of Members should be struck off and others inserted, he had always held that such a course was perfectly fair. He said so with the most perfect sincerity; and on the present occasion he would leave the matter entirely in the hands of the House. When his right hon. Friend the Chancellor of the Exchequer asked him to consent to his proposal that he should become a Member of this Committee, he thought that, holding the official situation he did, he was bound to accept. All he would say was, that if the House placed him on the Committee, he would endeavour faithfully to do his duty. If,

on the other hand, they were pleased to elect the hon. Member for Paisley, he had no doubt that that hon. Gentleman would prove a most useful Member of the Committee.

The House divided on the question that Mr. Labouchere be a Member of the Committee:—Ayes 194; Noes 77: Majority 117.

List of the AYES.

Abdy, T. N.
Adair, R. A. S.
Anson, hon. Col.
Arundel and Surrey, Earl of
Baines, M. T.
Baring, H. B.
Baring, rt. hon. F. T.
Barrington, Visct.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Blewitt, R. J.
Bowring, Dr.
Boyd, J.
Boyle, hon. Col.
Brockman, E. D.
Brotherton, J.
Brown, H.
Bunbury, E. H.
Busfeild, W.
Buxton, Sir E. N.
Callaghan, D.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Clay, J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Cochrane, A. D. R. W. B.
Cockburn, A. J. E.
Cocks, T. S.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Coles, H. B.
Compton, H. C.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. G.
Currie, R.
Deedes, W.
Divett, E.
Drummond, H.
Duckworth, Sir J. T. B.
Duff, J.
Duncuft, J.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Ebrington, Visct.
Elliott, hon. J. E.
Evans, J.
Fagan, J.
Ferguson, Sir R. A.
Fitzpatrick, J. W.
Fitzroy, hon. H.
Fitzwilliam, hon. G. W.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Freestun, Col.
French, F.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Godson, R.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Grace, O. D. J.
Grattan, H.
Greenall, G.
Greene, J.
Greene, T.
Grenfell, C. W.
Grey, R. W.
Grosvenor, Lord R.
Hall, Sir B.
Hallyburton, Lord J. F.
Hardcastle, J. A.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heald, J.
Heathcote, Sir W.
Herbert, H. A.
Heywood, J.
Hornby, J.
Howard, hon. C. W. G.
Ireland, T. J.
Jermyn, Earl
Jervis, J.
Keating, R.
Keogh, W.
Keppel, hon. G. T.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennox, Lord A.
Lewis, rt. hn. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Lushington, C.
Mackinnon, W. A.
Macnamara, Maj.
M'Gregor, J.
M'Naghten, Sir E.
M'Taggart, Sir J.
M'Tavish, C. C.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Marshall, J. G.
Marshall, W.
Matheson, A.
Matheson, Col.
Maule, rt hon. F.
Melgund, Visct.
Mitchell, T. A.
Monsell, W.
Morpeth, Visct.
Morison, Gen.
Mulgrave, Earl of
Norreys, Sir D. J.
Nugent, Sir P.
O'Brien, J.
O'Flaherty, A.
Ogle, S. C. H.
Ord, W.
Ossulston, Lord
Paget, Lord C.
Parker, J.
Peel, rt. hon. Sir R.
Peel, Col.
Peto, S. M.
Pigott, F.
Pilkington, J.
Raphael, A.
Reid, Col.
Rendlesham, Lord
Repton, G. W. J.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Rich, H.
Robartes, T. J. A.
Russell, Lord J.
Russell, F. C. H.
Salwey, Col.
Scholefield, W.
Scrope, G. P.
Scully, F.
Seymer, H. K.
Shelburne, Earl of
Sidney, T.
Slaney, R. A.
Smith, J. B.
Somerset, Lord G.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Strickland, Sir G.
Strutt, rt. hon. E.
Stuart, Lord D.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thesiger, Sir F.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, hn. F. J.
Towneley, J.
Townley, R. G.
Turner, E.
Turner, G. J.
Vane, Lord H.
Wall, C. B.
Walmsley, Sir J.
Ward, H. G.
Watkins, Col. L.
West, F. R.
Westhead, J. P.
Williams, J.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.
Young, J.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Anstey, T. C.
Archdall, Capt. M.
Arkwright, G.
Bankes, G.
Bennet, P.
Bentinck, Lord G.
Blackstone, W. S.
Boldero, H. G.
Bremridge, R.
Broadley, H.
Broadwood, H.
Buck, L. W.
Burghley, Lord
Cabbell, B. B.
Cayley, E. S.
Clive, Visct.
Codrington, Sir W.
Deering, J.
D'Eyncourt, rt. hon. C.
Disraeli, B.
Duff, G. S.
Duncan, G.
Duncombe, hon. G.
Du Pre, C. G.
Edwards, H.
Ewart, W.
Farrer, J.
Floyer, J.
Forbes, W.
Fordyce, A. D.
Fuller, A. E.
Goring, C.
Gwyn, H.
Halford, Sir H.
Hall, Col.
Harris, hon. Capt.
Hastie, A.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hood, Sir A.
Hume, J.
Ingestre, Visct.
Knox, Col.
Lacy, H. C.
Law, hon. C. E.
Lennox, Lord H. G.
Lockhart, A. E.
Lockhart, W.
Long, W.
Lowther, H.
Mackenzie, W. F.
Manners, Lord G.
March, Earl of
Masterman, J.
Maunsell, T. P.
Meux, Sir H.
Neeld, J.
Neeld, J.
O'Connor, F.
Osborne, R.
Packe, C. W.
Pattison, J.
Prime, R.
Renton, J. C.
Robinson, G. R.
Sibthorp, Col.
Spooner, R.
Stephenson, R.

Thornhill, G.
Tollemache, J.
Tyrell, Sir J. T.
Urquhart, D.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Wakley, T.
Willoughby, Sir H.

TELLERS.

Newdegate, C. N.
Beresford, Maj.

Main question agreed to, and Mr. Labouchere placed on the Committee.

On the name of Mr. Cardwell being proposed, it was moved that the name of Mr. W. Brown be substituted; and the House divided on the question that Mr. Cardwell be a Member of the Committee:—Ayes 167; Noes 101: Majority 66.

List of the AYES.

Abdy, T, N.
Adair, R. A. S.
Hanson, hon. Col.
Arundel and Surrey, Earl of
Bailey, J.
Baines, M. T.
Baring, H. B.
Baring, rt. hon. F. T.
Barrington, Visct.
Bellew, R. M.
Berkeley, hon. Capt.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Boyd, J.
Boyle, hon. Col.
Brockman, E. D.
Brotherton, J.
Bunbury, E. H.
Busfeild, W.
Buxton, Sir E. N.
Callaghan, D.
Carew, W. H. P.
Clay, J.
Clay, Sir W.
Clements, hon. C. S
Clerk, rt. hon. Sir G.
Clive, Visct.
Cochrane, A. D. R. W. B.
Cockburn, A. J. E.
Cocks, T. S.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Coles, H. B.
Compton, H. C.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. G.
Currie, R.
Deedes, W.
Divett, E.
Drummond, H.
Duckworth, Sir J. T. B.
Duncuft, J.
Dundas, Sir D.
Dundas, G.
Ebrington, Visct.
Elliot, hon. J. E.
Evans, J.
Fagan, J.
Fitzpatrick, J. W.
Fitzroy, hon. H.
Fitzwilliam, hon. G. W.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Freestun, Col.
French, F.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Godson, R.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Grace, O. D. J.
Greenall, G.
Greene, T.
Greenfell, C. W.
Grey, R. W.
Grosvenor, Lord R.
Hall, Sir B.
Hallyburton, Lord J. F.
Hardcastle, J. A.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heathcote, Sir W.
Herbert, H. A.
Heywood, J.
Hornby, J.
Howard, hon. C. W. G.
Ireland, T. J.
Jerymn, Earl
Jervis, J.
Keog, W.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennox, Lord A.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lindsay, hon. Col.
Lockhart, A. E.
Lushington, C.
Mackinnon, W. A.
Macnamara, Maj.
M'Naghten, Sir E.
M'Taggart, Sir J.
M'Tavish, C. C.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Marshall, J. G.
Marshall, W.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Mitchell, T. A.
Monsell, W.
Morpeth, Visct.
Morison, Gen.
Mulgrave, Earl of
Norreys, Sir D. J.
O'Brien, J.
Ord, W.
Paget, Lord C.
Parker, J.
Peel, rt. hon. Sir R.
Peel, Col.
Peto, S. M.
Pigott, F.
Raphael, A.
Reid, Col.
Repton, G. W. J.
Ricardo, J. L.
Ricardo, O.
Rich, H.
Robartes, T. J. A.
Russell, Lord J.
Russell, F. C. H.
Scrope, G. P.
Scully, F.
Seymer, H. K.
Shelburne, Earl of
Sidney, T.
Slaney, R. A.
Somerset, Lord G.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Strutt, rt. hon. E.
Stuart, Lord D.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Thesiger, Sir F.
Thicknesse, R. A.
Tollemache, hon. F. J.
Towneley, J.
Townley, R. G.
Turner, E.
Vane, Lord H.
Verney, Sir H.
Waddington, D.
Wall, C. B.
Ward, H. G.
Watkins, Col. L.
West, F. R.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.
Young, J.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Anstey, T. C.
Archdall, Capt. M.
Arkwright, G.
Bankes, G.
Bennet, P.
Bentinck, Lord G.
Blackstone, W. S.
Blewitt, R. J.
Boldero, H. G.
Bowring, Dr.
Bremridge, R.
Broadley, H.
Broadwood, H.
Brown, H.
Buck, L. W.
Burghley, Lord
Cabbell, B. B.
Campbell, hon. W. F.
Cayley, E. S.
Codrington, Sir W.
Deering, J.
D'Eyncourt, rt. hon. C. T.
Disraeli, B.
Duff, G. S.
Duff, J.
Duncan, G.
Duncombe, hon. O.
Dunne, F. P.
Du Pre, C. G.
Edwards, H.
Ewart, W.
Farrer, J.
Floyer, J.
Forbes, W.
Fordyce, A. D.
Fuller, A. E.
Goring, C.
Grattan, H.
Greene, J.
Gwyn, H.
Halford, Sir H.
Hall, Col.
Harris, hon. Capt.
Hastie, A.
Heald, J.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hood, Sir A.
Hume, J.
Ingestre, Visct.
Keating, R.
Knox, Col.
Lacey, H. C
Law, hon. C. E.
Lennox, Lord H. G.
Lockhart, W.
Long, W.
Lowther, H.
Mackenzie, W. F.
M'Gregor, J.
Manners, Lord G.
March, Earl of
Masterman, J.
Maunsell, T. P.
Meux, Sir H.
Neeld, J.
Neeld, J.
Nugent, Sir P.
O'Connor, F.
O'Flaherty, A.
Osborne, R.
Ossulston, Lord
Packe, C. W.
Pattison, J.
Pilkington, J.
Prime, R.
Renton, J. C.
Reynolds, J.
Robinson, G. R.
Rufford, F.

Salwey, Col.
Scholefield, W.
Sibthorp, Col.
Smith, J. B.
Smollett, A.
Spooner, R.
Stephenson, R.
Strickland, Sir G.
Thompson, Col.
Thornhill, G.
Tollemache, J.
Tyrell, Sir J. T.
Urquhart, D.
Vyse, R. H. R. H.
Waddington, H. S.
Wakley, T.
Walmsley, Sir J.
Wawn, J. T.
Westhead, J. P.
Williams, J.
Willoughby, Sir H.

TELLERS.

Newdegate, C. M.
Beresford, Maj.

Main question agreed to, and Mr. Cardwell placed on the Committee.

On the question that Mr. Hume be a Member of the Committee,

MR. WAKLEY moved as an Amendment, that the name of Mr. Hume be left out, in order that the name of Mr. Muntz might be substituted. The hon. Member added: I wish to take this opportunity, on the first occasion of again addressing the House, to express my great regret that I made a reference to a gentleman who is not a Member of this House, which reference I sincerely feel that I was not justified in making. I acknowledge that in making it I was guilty of an offence towards the House as well as towards the individual; I am sorry for it, and will not commit the same offence again.

The CHANCELLOR OF THE EXCHEQUER was sorry to hear that the hon. Member (Mr. Hume), who had left the House, was unwilling to serve on the Committee. He (the Chancellor of the Exchequer) had a strong opinion that the hon. Member ought to be on the Committee; perhaps the fairest way would be for the House to express its opinion whether he ought to serve; and if, being appointed, he should decline, one of the other names proposed could be substituted.

The House divided on the question that Mr. Hume's name stand part of the question:—Ayes 188; Noes 97: Majority 91.

List of the AYES.

Abdy, T. N.
Adair, R. A. S.
Anson, hon. Col.
Arundel and Surrey, Earl of
Baines, M. T.
Baring, H. B.
Baring, rt. hon. F. T.
Bellew, R. M.
Berkeley, hon. Capt.
Birch, Sir T. B.
Blewitt, R. J.
Bouverie, E. P.
Bowring, Dr.
Boyd, J.
Boyle, hon. Col.
Bramston, T. W.
Broadley, H.
Brockman, E. D.
Brotherton, J.
Bruce, Lord E.
Bunbury, E. H.
Busfeild, W.
Buxton, Sir E. N.
Callaghan, D.
Campbell, hon. W. F.
Cardwell, E.
Carew, W. H. P.
Clay, J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Cockburn, A. J. E.
Cocks, T. S.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Coles, H. B.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. G.
Currie, R.
Damer, hon. Col.
Deedes, W.
Divett, E.
Drummond, H.
Duckworth, Sir J. T. B.
Duff, G. S.
Duff, J.
Duncan, G.
Dundas, Sir D.
Dundas, G.
Ebrington, Visct.
Elliott, hon. J. E.
Evans, Sir De L.
Evans, J.
Ewart, W.
Fagan, J.
Fitzpatrick, J. W.
Fitzroy, hon. H.
Fitzwilliam, hon. G. W.
Fordyce, A. D.
Fortescue, hon. J. W.
Fox, R. M.
Freestun, Col.
French, F.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Godson, R.
Goulburn, rt. hon. H.
Grace, O. D. J.
Grattan, H.
Greene, J.
Greene, T.
Gregson, S.
Grenfell, C. W.
Grey, R. W.
Grosvenor, Lord R.
Hall, Sir B.
Hallyburton, Lord J. F.
Hardcastle, J. A.
Hastie, A.
Hay, Lord J.
Hayter, W. G.
Herbert, H. A.
Heywood, J.
Hood, Sir A.
Howard, hon. C. W. G.
Jermyn, Earl
Jervis, J.
Keating, R.
Keogh, W.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennox, Lord A.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lincoln, Earl of
Lockhart, A. E.
Lushington, C.
Mackinnon, W. A.
Macnamara, Maj.
M'Gregor, J.
M'Naghten, Sir E.
M'Taggart, Sir J.
M'Tavish, C. C.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Manners, Lord G.
Marshall, J. G.
Marshall, W.
Masterman, J.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Mitchell, T. A.
Monsell, W.
Moody, C. A.
Morgan, H. K. G.
Morpeth, Visct.
Morison, Gen.
Mulgrave, Earl of
Mure, Col.
Norreys, Sir D. J.
Nugent, Sir P.
O'Brien, J.
O'Flaherty, A.
Ord, W.
Osborne, R.
Paget, Lord C.
Parker, J.
Pattison, J.
Peel rt. hon. Sir R.
Peel, Col.
Peto, S. M.
Pigott, F.
Pilkington, J.
Raphael, A.
Reid, Col.
Ricardo, J. L.
Ricardo, O.
Rich, H.
Robartes, T. J. A.
Romilly, J.
Russell, Lord J.
Russell, F. C. H.
Scrope, G. P.
Scully, F.
Shelburne, Earl of
Sidney, T.
Slaney, R. A.
Smollett, A.
Somerset, Lord G.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Strickland, Sir G.
Strutt, rt. hon. E.
Stuart, Lord D.
Sutton, J. H. M.
Talfourd, Serj.
Tancred, H. W.
Tennent, R. J.
Thesiger, Sir F.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Towneley, J.
Townley, R. G.
Turner, E.
Vane, Lord H.
Verney, Sir H.
Wall, C. B.
Walmsley, Sir J.
Ward, H. G.

Watkins, Col. L.	Wilson, M.
Wellesley, Lord C.	Wood, rt. hon. Sir C.
West, F. R.	Wyvill, M.
Westhead. J. P.	Young, J.
Wilcox, B. M.	TELLERS.
Willoughby, Sir H.	Tufnell, H.
Wilson, J.	Hill, Lord M.

List of the NOES.

Anstey, T. C.	Knight, F. W.
Archdall, Capt. M.	Knox, Col.
Arkwright, G.	Lacy, H. C.
Bailey, J.	Law, hon. C. E.
Bankes, G.	Lennox, Lord H. G.
Barrington, Visct.	Lindsay, hon. Col.
Bennet, P.	Lockhart, W.
Bentinck, Lord G.	Long, W.
Beresford, W.	Lowther, H.
Blackall, S. W.	Mackenzie, W. F.
Blackstone, W. S.	March, Earl of
Boldero, H. G.	Maunsell, T. P.
Bremridge, R.	Meux, Sir H.
Broadwood, H.	Neeld, J.
Brown, H.	Neeld, J.
Buck, L. W.	Newdegate, C. G.
Burghley, Lord	O'Connor, F.
Cabbell, B. B.	Ossulston, Lord
Clive, Visct.	Packe, C. W.
Cochrane, A. D. R. W. B.	Prime, R.
Codrington, Sir W.	Renton, J. C.
Compton, H. C.	Reynolds, J.
Deering, J.	Richards, R.
D'Eyncourt, rt. hn. C. T.	Robinson, G. R.
Disraeli, B.	Salwey, Col.
Duncombe, hon. O.	Scholefield, W.
Duncuft, J.	Seymer, H. K.
Dunne, F. P.	Sibthorp, Col.
Du Pre, C. G.	Spooner, R.
Edwards, H.	Stafford, A.
Farnham, E. B.	Stanley, E.
Farrer, J.	Stephenson, R.
Flower, J.	Stuart, J.
Forbes, W.	Tenison, E. K.
Fortescue, C.	Thompson, Ald.
Fuller, A. E.	Thornhill, G.
Gaskell, J. M.	Tollemache, hon. F. J.
Goring, C.	Tollemache, J.
Grogan, E.	Tyrell, Sir J. T.
Gwyn, H.	Urquhart, D.
Hall, Col.	Vyse, R. H. R. H.
Harris, hon. Capt.	Waddington, D.
Headlam, T. E.	Waddington, H. S.
Heald, J.	Wawn, J. T.
Herries, rt. hon. J. C.	Williams, J.
Hildyard, R. C.	Wood, W. P.
Hornby, J.	
Houldsworth, T.	TELLERS.
Ingestre, Visct.	Wakley, T.
Ireland, T. J.	Cayley, E. S.

On the main question being put,

MR. WAKLEY hoped this was not an attempt to get rid of the name of the hon. Member for Birmingham (Mr. Muntz), by a mode which could not be justified by honourable dealing, under pretence that the hon. Gentleman (Mr. Hume) had not absolutely declined to serve. It was so irregular to press the name of an hon. Member who had deliberately, both in public and in private, expressed his determination not to serve, that he felt bound to move that the debate be adjourned.

COLONEL SIBTHORP seconded the Motion. What could the country expect from this Committee, when it was evidently indifferent to the Government whether they nominated live men or dead? Their only determination seemed to be, to override the wishes of independent Members. The sooner the appointment of this Committee was rescinded the better.

LORD J. RUSSELL thought the hon. Member for Finsbury could not have accurately understood the Chancellor of the Exchequer, who had stated, that as several Gentlemen considered that the hon. Member (Mr. Hume) had only said that he did not wish to serve, and that he would comply with any order of the House, it would not be right at once to give up his name, as it had been printed in the Votes; but that if, being appointed, he should decline to serve, he (the Chancellor of the Exchequer) would be willing to substitute one of the names proposed to be inserted in its place by the hon. Members for Finsbury and Middlesex (Mr. Wakley and Mr. Osborne). He (Lord J. Russell) could assure the hon. Member opposite, that the Government was not so much frightened as he supposed at the name of the hon. Member for Birmingham (Mr. Muntz).

DR. BOWRING said, that the hon. Member (Mr. Hume) had undoubtedly expressed great unwillingness to serve; but it was a sort of *nolo episcopari*, and when the hon. Member knew that so large a majority had expressed their opinion that it was desirable he should be on the Committee, there need be no doubt that he would give his services with the zeal and industry for which he was so distinguished.

The CHANCELLOR OF THE EXCHEQUER said, that as different versions had been given as to what the real wish of the hon. Member for Montrose was, it would be better to wait till the hon. Member himself came to the House, and stated decidedly what it was his intention to do. If the hon. Member should say that he wished not to serve, then he (the Chancellor of the Exchequer) should not have the slightest objection either to Mr. Hastie or Mr. Muntz being appointed in his place. Indeed, he was not quite sure whether he did not agree more nearly with the hon. Member for Birmingham than with the hon. Member for Montrose on this question. But he did not think a fitter person

could, on public grounds, be appointed than Mr. Hume.

Lord G. BENTINCK hoped the hon. Member for Finsbury would not persevere in his Motion. He was quite sure that the hon. Member for Finsbury and his hon. Friend the Member for Middlesex would be the last two Members of that House to consent to the exclusion of Mr. Hume from the Committee, if that hon. Gentleman could be induced to serve. He, for one, could not consent to his exclusion; but he had divided against the Motion upon the impression that Mr. Hume had positively declined to serve. He thought this point should be cleared up before any further step were taken for the exclusion of Mr. Hume. The right hon. Gentleman the Chancellor of the Exchequer had fairly stated to the House, that if Mr. Hume would not serve, he would consent to nominate either Mr. Muntz or Mr. Hastie.

Mr. ANSTEY explained, that he had several times heard the hon. Member for Montrose distinctly and emphatically say that he would not serve on the Committee; and when the hon. Member for Finsbury alluded to a statement to that effect made to him in private, he distinctly saw the hon. Member for Montrose move his hat in assent to the accuracy of that statement. The hon. Member having left the House, he should support the Motion for adjourning the debate, to afford an opportunity to that hon. Member to retract his determination; and, should he not do so, then he would move the substitution of Mr. Muntz instead of Mr. James Wilson.

Sir R. PEEL thought the House ought not to part lightly with the power of expressing its opinion with regard to the duty which hon. Members owed to the public in serving on Committees. If the House thought that any particular Member ought to serve on a Committee, it ought not lightly to decline the duty which devolved upon it of expressing such to be its opinion. He gave his vote for including Mr. Hume in the Committee; but he could assure the House that the last thing that entered into his mind was to intimate a wish to exclude Mr. Muntz or Mr. Hastie from the Committee. He considered that Mr. Muntz, from the attention which he had paid to the subject, and from his position as Member for Birmingham, would be a very fit person to take a part in the proposed inquiry. He also thought that it would be desirable to have the Scotch banking system represented, either by Mr. Hastie, the Member for Paisley, or Mr. Hastie, the Member for Glasgow. But he did not understand that the hon. Member for Montrose had expressed a positive intention to withdraw if he should be appointed; and, considering the long period of his labours, and that he had stated that day that his age formed no impediment whatever—which he was sure it did not—to the faithful performance of his public duties, and considering further the disinterestedness which that hon. Member had always shown in his public character, he (Sir R. Peel) thought the nomination of the hon. Member would be but a just compliment on the part of the House, as testifying that in their opinion the hon. Gentleman was in every respect well qualified to perform the duties required in the Committee. But in case the hon. Member, after being made aware of the opinion of the House as to his fitness for serving, and as to the desirableness of his serving on the Committee, should still express a wish to retire from it, then he should be most perfectly willing to vote for substituting Mr. Hastie, or any other hon. Member who should be considered as representing the Scotch banking interest; or, if the hon. Member for Finsbury should have precedence and should propose Mr. Muntz, he (Sir R. Peel) should feel perfectly inclined to vote for the nomination of that hon. Gentleman. He should, however, advise the House to persist in the feeling they had already manifested in having, on public grounds, chosen the hon. Member for Montrose to serve on the Committee; and if that hon. Gentleman should hereafter signify his wish to withdraw, it would then be competent for the House to substitute some other Member. He could say with regard to his right hon. Friend the Member for Stamford, that he had expressed a personal wish not to serve on the Committee; but, as soon as he saw it was the desire of the House that his name should be included, he immediately withdrew his objection.

Mr. WAKLEY considered himself placed in a very unfair position by what had transpired. It would have been the last thing in his thoughts to propose any Member in the place of Mr. Hume. No person entertained for the character of that Gentleman higher respect than he did. He should never have thought of proposing to substitute Mr. Muntz for Mr. Hume, if the latter Gentleman had not again and again declared that he would not serve on the Committee. But, thinking

there was this hiatus, he was delighted with the opportunity of proposing Mr. Muntz to fill the vacancy. The House appeared to be perfectly bewildered with reference to the intentions of Mr. Hume. That Gentleman declared that he would not serve, and he believed the hon. Member for Montrose was a man of veracity, and that he would adhere to his determination; he (Mr. Wakley), could not, therefore, understand why the debate as to the nomination of Mr. Hume should not be adjourned to a future day. The House might go on with the other names till the hon. Gentleman should appear in his place and say whether he would serve or not.

MR. CAYLEY said, that he had asked the hon. Member for Montrose whether he persisted in his determination not to serve, and his answer was, "Certainly." He hoped the hon. Member for Finsbury would accede to the advice which had been given him, and not persevere in his Motion for adjournment.

Motion for adjournment withdrawn, and the name of Mr. Hume added to the Committee.

On the name of Mr. Ricardo being proposed,

LORD G. BENTINCK proposed that the name of Mr. Henley be substituted.

CAPTAIN HARRIS would put it to Her Majesty's Ministers whether they considered they were acting fairly towards the agricultural interest. There was not the name of one country Gentleman representing the agricultural interest upon the Committee. He would ask the Government whether they thought they would obtain credit with the country by the course they were now pursuing? The Act of 1844 was on its trial, and there were fifteen members on the Committee whose opinions were known to be favourable to that Act, while there were only eleven who had expressed an opinion against it.

MR. ROBINSON was quite sure that the public at large would have no confidence in a report coming from a Committee constituted as this evidently would be.

The House divided on the question that the name of Mr. Ricardo stand part of the question:—Ayes 172: Noes 105; Majority 67.

List of the AYES.

Abdy, T. N.
Adair, R. A. S.
Anson, hon. Col.
Arundel and Surrey, Earl of
Baines, M. T.
Baring, H. B.
Baring, rt. hon. F. T.
Bellew, R. M.
Berkeley, hon. Capt.
Birch, Sir T. B.
Blackall, S. W.
Bouverie, E. P.
Bowring, Dr.
Boyd, J.
Boyle, hon. Col.
Brockman, E. D.
Brotherton, J.
Brown, H.
Bruce, Lord E.
Bunbury, E. H.
Busfeild, W.
Callaghan, D.
Campbell, hon. W. F.
Cardwell, E.
Chaplin, W. J.
Clay, J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Cockburn, A. J. E.
Cocks, T. S.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Coles, H. B.
Corry, rt. hon. H. L.
Cowper, hon. W. F.
Craig, W. G.
Currie, R.
Divett, E.
Drummond, H.
Duncan, G.
Dundas, Sir D.
Dundas, G.
Dunne, F. P.
Ebrington, Visct.
Elliot, hon. J. E.
Evans, Sir De L.
Evans, J.
Ewart, W.
Fagan, J.
Fitzpatrick, J. W.
Fitzroy, hon. H.
Fordyce, A. D.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Freestun, Col.
Gibson, rt. hon. T. M.
Godson, R.
Goulburn, rt. hon. H.
Grattan, H.
Greene, T.
Gregson, S.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Hall, Sir B.
Hallyburton, Ld. J. F. G.
Hardcastle, J. A.
Hastie, A.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Herbert, H. A.
Heywood, J.
Howard, hon. C. W. G.
Jermyn, Earl
Jervis, J.
Keating, R.
Keogh, W.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennox, Lord A.
Lewis, G. C.
Lincoln, Earl of
Lushington, C.
Mackinnon, W. A.
Macnamara, Major
M'Gregor, J.
M'Naghten, Sir E.
M'Taggart, Sir J.
M'Tavish, C. C.
Mahon, The O'Gorman
Mahon, Visct.
Maitland, T.
Marshall, J. G.
Marshall, W.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Mitchell, T. A.
Monsell, W.
Morpeth, Visct.
Morison, Gen.
Mulgrave, Earl of
Norreys, Sir D. J.
Nugent, Sir P.
O'Brien, J.
Ord, W.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Peel, rt. hon. Sir R.
Peel, Col.
Peto, S. M.
Pilkington, J.
Pinney, W.
Raphael, A.
Reid, Col.
Reynolds, J.
Ricardo, O.
Rich, H.
Robartes, T. J. A.
Romilly, J.
Russell, Lord J.
Russell, F. C. H.
Salwey, Col.
Scrope, G. P.
Scully, F.
Seely, C.
Shelburne, Earl of
Sidney, T.
Simeon, J.
Slaney, R. A.
Smith, J. A.
Somerset, Lord G.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Strickland, Sir G.
Strutt, rt. hon. E.
Stuart, Lord D.
Sutton, J. H. M.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thesiger, Sir F.

Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, hon. F. J.
Turner. E.
Vane, Lord H.
Wall, C. B.
Walmsley, Sir J.
Ward, H. G.
Watkins, Col. L.
West, F. R.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wrightson, W. B.
Wyvill, M.
Young, J.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the Noes.

Alexander, N.
Anstey. T. C.
Archdall, Capt. M.
Arkwright, G.
Bankes, G.
Barrington, Visct.
Bennet, P.
Bentinck, Lord G.
Blackstone, W. S.
Blewitt, R. J.
Boldero, H. G.
Bramston, T. W.
Bremridge, R.
Broadley, H.
Broadwood, H.
Buck, L. W.
Burghley, Lord
Cabbell, B. B.
Carew, W. H. P.
Cayley, E. S.
Clive, Visct.
Cobbold, J. C.
Codrington, Sir W.
Compton, H. C.
Deedes, W.
Deering, J.
D'Eyncourt, rt. hn. C. T.
Disraeli, B.
Duckworth, Sir J. T. B.
Duff, J.
Duncombe, hon. O.
Duncuft, J.
Du Pre, C. G.
Edwards, H.
Farnham, E. B.
Farrer, J.
Floyer, J.
Forbes, W.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Goring, C.
Greene, J.
Gwyn, H.
Halford, Sir H.
Hall, Col.
Harris, hon. Capt.
Heald, J.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hood, Sir A.
Hornby, J.
Ingestre, Visct.
Ireland, T. J.
Knox, Col.
Lacy, H. C.
Law, hon. C. E.
Lennox, Lord H. G.
Lindsay, hon. Col.
Lockhart, A. E.
Lockhart, W.
Lowther, H.
Mackenzie, W. F.
Manners, Lord G.
March, Earl of
Masterman, J.
Maunsell, T. P.
Meux, Sir H.
Moody, C. A.
Morgan, H. K. G.
Mure, Col.
Neeld, J.
Neeld, J.
O'Connor, F.
Osborne, R.
Ossulston, Lord
Packe, C. W.
Pattison, J.
Pigott, F.
Prime, R.
Rendlesham, Lord
Renton, J. C.
Richards, R.
Robinson, G. R.
Scholefield, W.
Seymer, H. K.
Sibthorp, Col.
Smollett, A.
Spooner, R.
Stafford, A.
Stanley, E.
Stephenson, R.
Stuart, J.
Thompson, Ald.
Thornhill, G.
Tollemache, J.
Tyrell, Sir J. T.
Urquhart, D.
Verner, Sir W.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Wakley, T.
Wawn, J. T.
Wellesley, Lord C.
Willoughby, Sir H.

TELLERS.

Newdegate, C. N.
Beresford, Major

The name of Mr. Ricardo was added.

On the name of Mr. Glyn being proposed,

Mr. BERNAL OSBORNE moved that the name of Mr. J. Reynolds, the Member for the city of Dublin, should be substituted for that of Mr. Glyn. He did so, not only because Mr. Reynolds was an Irish Member, but because the hon. Gentleman was a man possessing great practical knowledge upon the subject of banking. The hon. Member for Finsbury, when proposing the name of Mr. Muntz, had spoken of the great ability of that hon. Gentleman. He did not deny his ability; but the House had already sufficient evidence of the talent and knowledge possessed by the hon. Member for the city of Dublin. The hon. Member for Finsbury had said, that if they only looked at the hon. Member for Birmingham, they could not fail to understand him. He would say, in reply—if they only looked at the hon. Member for Dublin, they must understand him; for he was sure that the appearance of that hon. Member was quite as much in his favour as the appearance of the hon. Member for Birmingham was in his. He had no objection to Mr. Glyn personally; but, seeing that there was only one Member on the Committee who represented the interests of Ireland, and that Member connected with the extreme north, he felt it his duty to move, "that instead of the name of Mr. Glyn being inserted, it should be left out, and the name of Mr. J. Reynolds be substituted."

Lord G. BENTINCK felt as strongly as the hon. Member for Middlesex did that the hon. Member for the city of Dublin ought to be on the Committee; but at the same time he must say that Mr. Glyn was not a Gentleman to be set aside and omitted from this Committee. Mr. Glyn was known to be a Whig and a strong party man; his opinions did not, he believe, concur with those which he (Lord G. Bentinck) entertained on the subject of the Bank Charter Act; for he was known to have refused signing a petition got up last June by the merchants and bankers of London, praying for a relaxation of the restrictions of that Act; there were some reasons, therefore, for supposing that Mr. Glyn was not favourable to the views which he (Lord G. Bentinck) took with respect to that measure. Nevertheless Mr. Glyn had more business than any banker in London; he presumed, therefore, that he did more business than any banker in the world. He was a man of strong mind and of great ability, and was well known to everybody as the chairman of the London and North-Western Railway. In every way, there-

fore, it seemed to him that there could be no fitter Member than Mr. Glyn to be on this Committee. It was certainly his wish to see Mr. Reynolds on the Committee; but he could not consent to substitute that Gentleman's name for the name of Mr. Glyn.

Mr. REYNOLDS thanked the hon. Member for Middlesex for the compliment he had paid to his appearance. He begged to state, that although he should be prepared to act on the Committee if nominated, he would respectfully decline serving in the room of so eminent an authority as Mr. Glyn; and therefore he must request the hon. Member for Middlesex to withdraw his Motion. His feeling was so strong on the point, that, on seeing his name proposed in the paper as a substitute for that of the hon. Member for Marlborough, he declared to that hon. Member that he should feel himself placed in a most invidious position if he were to be placed in competition as it were with one who was so much better qualified to act on the Committee than he was; and it was only upon the distinct assurance of the hon. Member that he had made up his mind not to serve on the Committee that he permitted his name to remain upon the paper. He now begged that the hon. Member would withdraw his Motion. He thought, certainly, that Ireland was not adequately represented in the Committee. Mr. Tennent was doubtless a person most fit to serve on the Committee; but, bearing in mind that Ireland had suffered more than any other part of the kingdom from the monopoly of banking, it was surprising that only one Irish Member had been placed on the Committee. It would have pleased him to see upon the Committee such a man as the hon. Member for Cork (Mr. Callaghan), who had large claims to the notice of the House. It was, indeed, surprising that the hon. Member could have been overlooked. He begged to state, that when he used the word "large" with reference to the hon. Member for Cork, he applied it to his mental qualifications, and not to his person. The Committee, as constituted, was objectionable, because a large majority of its Members was pledged to support the Banking Act of 1844, and its twin sisters relating to Scotland and Ireland, which were passed in 1845.

Mr. CALLAGHAN requested that the hon. Member would not make use of his name on any future occasion without his permission. The hon. Member had indulged in a gratuitous mention of his name. Now that he was on his legs, he would take the opportunity of saying that the Irish and the English public would be better pleaaed to have the Committee constituted as proposed by the Chancellor of the Exchequer than if all the alterations which had been suggested had been made.

Mr. OSBORNE withdrew his Motion, and Mr. Glyn was nominated a Member of the Committee.

On the question that Sir W. Clay be placed on the Committee.

Lord G. BENTINCK moved that Sir W. Clay's name should be struck out of the list, and that of Mr. Pattison substituted.

Mr. PATTISON begged to say that he had no wish to serve on the Committee; but if he were nominated, he would do his duty. He would avail himself of that opportunity of stating that in what he had before addressed to the House, he spoke only as the representative of the city of London, and not as a governor of the Bank of England. He was induced to speak as he did, because he believed that the Chancellor of the Exchequer and his Colleagues were ignorant of the extreme sufferings to which both large and small traders were subjected in London. They had not collected sufficient information on the subject.

The House divided on the question that the name of Sir W. Clay stand part of the question:—Ayes 152; Noes 122: Majority 30.

List of the Ayes.

Abdy, T. N.	Cocks, T. S.
Adair, R. A. S.	Coke, hon. E. K.
Anson, hon. Col.	Colebrooke, Sir T. E.
Arundel and Surrey, Earl of	Coles, H. B.
Baines, M. T.	Coope, O. E.
Baring, H. B.	Corry, rt. hon. H. L.
Baring, rt. hon. F. T.	Craig, W. G.
Bellew, R. M.	Currie, R.
Berkeley, hon. Capt.	Divett, E.
Birch, Sir T. B.	Drummond, H.
Blackall, S. W.	Dundas, Sir D.
Boyd, J.	Dundas, G.
Boyle, hon. Col.	Dunne, F. P.
Brockman, E. D.	Ebrington, Visct.
Bruce, Lord E.	Elliot, hon. J. E.
Bunbury, E. H.	Evans, Sir De L.
Busfeild, W.	Evans, J.
Callaghan, D.	Ewart, W.
Campbell, hon. W. F.	Ferguson, Sir R. A.
Cardwell, E.	Fitzpatrick, J. W.
Chaplin, W. J.	Fitzroy, hon. H.
Clay, J.	Fortescue, C.
Clements, hon. C. S.	Fortescue, hon. J. W.
Clerk, rt. hon. Sir G.	Fox, R. M.
Cockburn, A. J. E.	Freestun, Col.
	French, F.

Gibson, rt. hon. T. M.
Godson, R.
Goulburn, rt. hon. H.
Grace, O. D. J.
Greene, T.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Hallyburton, Ld. J. F. G.
Hardcastle, J. A.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Herbert, H. A.
Heywood, J.
Howard, hon. C. W. G.
Jermyn, Earl
Jervis, J.
Keogh, W.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennox, Lord A.
Lewis, G. C.
Lincoln, Earl of
Lushington, C.
Mackinnon, W. A.
Macnamara, Maj.
M'Naghten, Sir E.
M'Taggart, Sir J.
M'Tavish, C. C.
Mahon, The O'Gorman
Maitland, T.
Marshall, J. G.
Marshall, W.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Monsell, W.
Mulgrave, Earl of
Norreys, Sir D. J.
Nugent, Sir P.
O'Brien, J.
Ogle, S. C. H.
Ord, W.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Peel, rt. hon. Sir R.
Peel, Col.
Pigott, F.
Pinney, W.
Raphael, A.
Reid, Col.
Ricardo, J. L.
Ricardo, O.
Rich, H.
Robartes, T. J. A.
Romilly, J.
Russell, Lord J.
Russell, F. C. H.
Scrope, G. P.
Scully, F.
Seely, C.
Shelburne, Earl of
Sidney, T.
Simeon, J.
Slaney, R. A.
Smith, J. A.
Somerset, Lord G.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Strickland, Sir G.
Strutt, rt. hon. E.
Stuart, Lord D.
Sutton, J. H. M.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thesiger, Sir F.
Thicknesse, R. A.
Thornely, T.
Tollemache, hon. F. J.
Vane, Lord H.
Vivian, J. H.
Wall, C. B.
Ward, H. G.
Watkins, Col. L.
West, F. R.
Willcox, B. M.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wrightson, W. B.
Wyvill, M.
Young, J.

TELLERS.

Hill, Lord M.
Tufnell, H.

List of the Noes.

Alexander, N.
Anstey, T. C.
Archdall, Capt. M.
Arkwright, G.
Bankes, G.
Bennet, P.
Bentinck, Lord G.
Blackstone, W. S.
Blewitt, R. J.
Boldero, H. G.
Bolling, W.
Bouverie, E. P.
Bowring, Dr.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Brotherton, J.
Brown, H.
Buck, L. W.
Burghley, Lord
Cabbell, B. B.
Cayley, E. S.
Clive, Visct.
Codrington, Sir W.
Compton, H. C.
Deedes, W.
Deering, J.
D'Eyncourt, rt. hn. C. T.
Disraeli, B.
Duckworth, Sir J. T. B.
Duff, J.
Duncan, G.
Duncombe, hon. O.
Duncuft, J.
Du Pre, C. G.
Edwards, H.
Fagan, J.
Farnham, E. B.
Farrer, J.
Floyer, J.
Forbes, W.
Fordyce, A. D.
Fuller, A. E.
Gaskell, J. M.
Goring, C.
Grattan, H.
Greene, J.
Gregson, S.
Halford, Sir H.
Hall, Sir B.
Hamilton, G. A.
Harris, hon. Capt.
Hastie, A.
Heald, J.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hood, Sir A.
Hornby, J.
Ingestre, Visct.
Ireland, T. J.
Keating, R.
Knox, Col.
Lacy, H. C.
Law, hon. C. E.
Lennox, Lord H. G.
Lindsay, hon. Col.
Lockhart, A. E.
Lockhart, W.
Lowther, H.
Mackenzie, W. F.
M'Gregor, J.
Manners, Lord G.
March, Earl of
Masterman, J.
Maunsell, T. P.
Meux, Sir H.
Moody, C. A.
Morgan, H. K. G.
Mure, Col.
Neeld, J.
Neeld, J.
O'Connor, F.
Osborne, R.
Ossulston, Lord
Packe, C. W.
Peto, S. M.
Pilkington, J.
Prime, R.
Renton, J. C.
Reynolds, J.
Richards, R.
Robinson, G. R.
Salwey, Col.
Sandars, G.
Scholefield, W.
Seymer, H. K.
Sibthorp, Col.
Smith, J. B.
Smollett, A.
Spooner, R.
Stafford, A.
Stephenson, R.
Stuart, J.
Thompson, Col.
Thompson, Ald.
Thornhill, G.
Tollemache, J.
Turner, E.
Tyrell, Sir J. T.
Urquhart, D.
Verner, Sir W.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Wakley, T.
Walmsley, Sir J.
Wawn, J. T.
Wellesley, Lord C.
Westhead, J. P.
Williams, J.
Willoughby, Sir M.

TELLERS.

Beresford, Maj.
Newdegate, C. N.

Sir W. Clay placed on Committee.

Remaining Members appointed.

Committee to be a Committee of Secrecy.

ADJOURNMENT OF DEBATES.

Mr. BROTHERTON rose to move—

"That when any new business is brought on after Twelve o'clock at night, if it be moved and seconded That the Debate on such Question be adjourned, Mr. Speaker shall immediately declare the Debate adjourned, without putting the Question to the vote."

The hon. Member said, this was a sanitary Motion. The object which he had in view was the preservation of the health of Members of that House. He declared that he frequently moved the adjournment of the House from consideration for the Speaker's health, though, judging from the difficulty which he found in catching the right hon. Gentleman's eye upon such occasions, he was disposed to believe that the Speaker did not feel as much interest on that point as he did. He was sometimes taunted with

not having acted impartially in his character of adjourner of the House; but if he had shown any partiality it was to his political opponents. It appeared by returns presented to the House that in 1842 the House sat 117 days, and 125 hours after midnight; in 1843, the House sat 119 days, and 105½ hours after midnight; in 1844, the House sat 119 days, and sixty-nine hours after midnight; in 1845, days of sitting 119, hours after midnight 96; in 1846, days of sitting 139, hours after midnight 77¾; in 1847, days of sitting 121, hours after midnight 71¾. Comparing 1842 with 1847, it would be seen that the present Administration, to which he was favourable, had had the opportunity of proceeding with business during fewer hours after midnight than the Administration which existed in 1842, to which he was opposed. His Motion would apply simply to questions which might be brought on after midnight. He had often seen several hours after midnight wasted in discussions on Irish police and Scotch fisheries, which were of no use whatever. He was in favour of the Legislature conducting their proceedings by daylight. Some persons were fond of appealing to "the wisdom of our ancestors," and it was certainly one proof of their wisdom that they did the work of legislation by daylight. In every part of the Continent, and in America also, the legislative assemblies sat during the day. Let the House only consider the advantage of sitting from twelve till six o'clock on Wednesdays. Not only was there more business done than on other days, but it was done in a more orderly manner, and there was always a full attendance of Members. Formerly the House used to be counted out on Wednesdays. He was sure that if the House met every day at twelve o'clock, it would promote the health of Members and the convenience of the House.

Dr. BOWRING seconded the Motion. His hon. Friend formerly used to exercise despotic power, and adjourn all debates after twelve o'clock at night; but of late it had been found out that he was made of squeezable materials, and his resolution had given way. He hoped that his hon. Friend's authority would be restored, and that he would exercise it even tyrannically, if need were, in order put a stop to debates after twelve o'clock.

Mr. EWART'S only objection to the Motion of his hon. Friend was, that it did not go far enough. The Motion which he himself had placed on the paper as an Amendment to that of the hon. Member for Salford consulted the valuable health of the Speaker more carefully than the Motion of his hon. Friend. He wished that all the debates of the House should take place in the daytime. He maintained that business was far better done on Wednesday than on any other day of the week; and none of those scenes occurred which frequently took place in the evening. He contended that the present system was not an economy but a prodigality of time, because, between the hours of six and nine o'clock in the evening, any Member could get up and speak as long as he chose, uncontrolled by the House. The present system was a premium on extraneous and unnecessary speeches. It was said that the Government gained more time for the transaction of public business by the present arrangement. A Member, however, of the late Government had assured him that he could give far more time to business if the House sat during the day, and promised to support a Motion to that effect; but when the time for voting came, the hon. Gentleman was under other influences and did not vote for his (Mr. Ewart's) temperate Motion. He proposed that Committees should sit from ten to twelve, and then six hours of debate would be quite enough. He submitted that there was great impropriety in taking away a man from his family in the evening. At the same time, though he entertained these views, he should not press his Motion to a division against the Motion of the hon. Member for Salford, and on the present occasion he would content himself with giving his cordial support to his hon. Friend.

Sir G. GREY rose to say, that he was sorry that he could not agree to the Motion of his hon. Friend the Member for Salford. The hon. Gentleman said, that this was the very minimum of reform; but he must remind the House that it would lead to a very great alteration in its practice. The Motion, if successful, would give power to any hon. Member to adjourn a debate, contrary to the opinion of the House itself that it should proceed. He thought that his hon. Friend had rendered very useful services by interposing to adjourn debates when no good was likely to be occasioned by a protracted discussion; but it would be extremely inconvenient to take away all discretion from the House. Suppose, for instance, the debate in which

they had that day been engaged had taken place on any other day of the week, and twelve o'clock at night had arrived when only two or three names were wanting to complete the Committee; it would have been competent for any two hon. Members to have got up, and to have postponed the debate till a future day. He thought that the public convenience would be better consulted by leaving a discretion with the House, than by adopting a rigid rule in all cases, the more so as the practice of late debating was checked by the watchful care of his hon. Friend. He must say also, that though he thought the morning sittings on Wednesday very useful, he did not think that it was practicable, if Committees were to sit, for the House to meet in the daytime on every day in the week. No analogy could be drawn between the House of Commons here and the Chamber of Deputies in France, as the amount of the business transacted was so very different.

Lord G. BENTINCK quite agreed with the right hon. Gentleman who had just sat down. They really wanted an additional day in the week; it was hardly possible to get through the business as it was. He was afraid that the abstemious habits of the hon. Member for Salford—his vegetable and water diet would prevent him from taking a lesson from the old convivial song—

"The only true way to lengthen the day,
Is to steal a few hours from the night, my boys."

Mr. BROTHERTON, in reply, regretted he was obliged to say that he once had some power, but now he had none. It was imagined that he could always move an adjournment of the debate when he pleased; but this was a great mistake. He would always be vigilant, if he could always be sure of the Speaker's looking at him at the proper time. He should certainly think it his duty to take the sense of the House upon his Motion.

Sir H. WILLOUGHBY suggested, with a view to save the time of the House, that no Member should speak more than half-an-hour, or make more than fifty quotations or references to speeches or books.

The House divided:—Ayes 33; Noes 57: Majority 24.

List of the Ayes.

Arkwright, G.	Chaplin, W. J.
Boyd, J.	Drummond, H.
Busfeild, W.	Duncan, G.
Callaghan, D.	Duncuft, J.
Evans, J.	Smith, J. B.
Ewart, W.	Strickland, Sir G.
Fordyce, A. D.	Tennent, R. J.
Gregson, S.	Thicknesse, R. A.
Heald, J.	Thompson, Col.
Heywood, J.	Walmsley, Sir J.
Moffatt, G.	Wawn, J. T.
Pilkington, J.	Westhead, J. P.
Robinson, G. R.	Willcox, B. M.
Salwey, Col.	Williams, J.
Sandars, G.	Willoughby, Sir H.
Scholefield, W.	TELLERS.
Seely, C.	Brotherton, J.
Sibthorp, Col.	Bowring, Dr.

List of the Noes.

Archdall, Capt. M.	Gibson, rt. hon. T. M.
Arundel and Surrey, Earl of	Goulburn, rt. hon. H.
Baines, M. T.	Greene, T.
Barrington, Visct.	Grenfell, C. W.
Bellew, R. M.	Grey, rt. hon. Sir G.
Bennet, P.	Heathcote, Sir W.
Bentinck, Lord G.	Howard, hon. C. W. G.
Birch, Sir T. B.	Keppel, hon. G. T.
Bouverie, E. P.	Langston, J. H.
Bramston, T. W.	Lindsay, hon. Col.
Bruce, Lord E.	Masterman, J.
Cabbell, B. B.	Melgund, Visct.
Clay, J.	Parker, J.
Clive, Visct.	Pinney, W.
Cochrane, A. D. R. W. B.	Raphael, A.
Coope, O. E.	Richards, R.
Corry, rt. hon. H. L.	Spooner, R.
Craig, W. G.	Talfourd, Serj.
Deedes, W.	Thompson, Ald.
Deering, J. P.	Thornely, T.
Divett, E.	Vane, Lord H.
Duckworth, Sir J. T. B.	Vivian, J. H.
Duncombe, hon. O.	Waddington, H. S.
Du Pre, C. G.	Wilson, J.
Elliot, hon. J. E.	Wood, rt. hon. Sir C.
Ferguson, Sir R. A.	Wood, W. P.
Floyer, J.	Wyvill, M.
Fortescue, C.	TELLERS.
Fuller, A. E.	Tufnell, H.
Gaskell, J. M.	Hill, Lord M.

The House adjourned at five minutes to Six o'clock.

HOUSE OF LORDS,

Thursday, December 16, 1847.

Minutes.] *Took the Oaths.*—Several Lords.—The Lord Vaux of Harrowden took the Oath prescribed by the 10 Geo. IV., to be taken by Peers professing the Roman Catholic Religion.

Public Bills.—2ª Public Works (Ireland), *Reported.*—Crime and Outrage (Ireland); Railways.

Petitions Presented. From Warwick, and several other places, against the Admission of Jews into Parliament.—By Lord Farnham, from Dorset and Canterbury, for the Imposition of the Severest Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—By the Marquess of Londonderry, from Guardians of the Downpatrick Union, against Out Door Relief.

CRIME AND OUTRAGE (IRELAND) BILL.

The Order of the Day for the House to be put into Committee having been read,

The MARQUESS of LANSDOWNE said, that he rose, in pursuance of the notice which he had given last night, to move their Lordships to go into Committee on the Bill for the better Prevention of Crime and Outrage in certain Parts of Ireland. In discharge of that duty he felt that as their Lordships had been pleased to allow this Bill to go through its second stage without requiring any explanation from him as to its provisions, and without entering into any discussion upon the subject, it would be most unpardonable were he now to ask their Lordships' assent to such a measure without offering those observations to their Lordships, which would explain the grounds upon which Her Majesty's advisers had submitted this Bill to the other House of Parliament, and now entertained the confident hope that it would meet with their Lordships' approbation. At the same time, he felt that their Lordships would be enabled to anticipate most of the observations which he should have to make, because, unfortunately, the circumstances which had induced the Government to propose the Bill were too notorious; they had been too long and too broadly under their Lordships' observation, to make it necessary for him to detail them at great length. The very character of the enormous offences that had been committed in Ireland had insured publicity, and must have brought them to the observation of all their Lordships. It was the peculiar feature of these crimes, that, whilst the assassin who committed them remained too often concealed in the darkness which befitted his occupation and his deeds, the unfortunate victim had been dragged into publicity, and whether he had escaped the deadly blow of the gun or the firebrand employed by those who sought his destruction, or whether he had succumbed to his murderer —in the one case he appeared before the world the living witness of the crime which it had been attempted to perpetrate, or, by his death, became himself to all posterity the monument of the evil outrage that had been committed. He should have no excuse, therefore, were he to trouble their Lordships at any length. He had not the excuse of the impartial and illustrious historian, who, when he was about to narrate the history of the religious massacres of Paris of the sixteenth century—when he was about to enter upon the task, let the pen drop from his hand, and filled up the hiatus in his history with the pathetic exclamation—

"Excidat illa dies ævo ; nec postera credent
Sæcula—nos certe taceamus et obruta multa
Nocte tegi patiamur crimina gentis."

He had not that excuse, because the scenes to which he had alluded had not passed, but were now passing. But were he not fully convinced that every one of their Lordships was acquainted with the leading facts which marked those unfortunate crimes, he should feel it his duty, however painful it might be to his feelings and to their Lordships, to describe these murders with which the public were already too familiar, in the language they deserved. He should not therefore go back to the murder of Mr. Roe, Major Mahon, and many other persons, of which the narrative had already been placed in their Lordships' hands; he should not go so much into these monstrous cases, which could not escape attention, as into the comparatively second class of cases which showed the general state of the country. He should do so, because it would present but an imperfect case for the Bill, in the Committee into which he was about to move their Lordships to go, were he to rest it solely upon these more monstrous acts; but unhappily, that which had added to the mischief arising from these fatal deeds was the evidence that they had been accompanied in every stage by various classes and descriptions of crimes, all tending to the same object, and all inspired by the same spirit of determination to destroy the social order, the social principle and rights of property, aye, and the rights of industry itself. He would state to their Lordships generally the amount of crime of all descriptions in Ireland. During the last month of November, they had amounted to 1,335; in October they were 1,035, making an increase in November, as compared with October, of not less than 300. The prevailing crimes had been chiefly in threatening notices and robbery of arms; and they were principally in the counties of Cavan, Clare, Cork, Galway, King's County, Limerick, Sligo, Tipperary, Mayo, Meath, Fermanagh, Longford, and, in a few cases, Kerry. They consisted of attempts to shoot, robbery of arms, robbery of money, robbery of cattle, assaults, and threatening notices. He was not about to enumerate these cases at length, which would necessarily engage too much of their Lordships' time, but some few he would mention, not in reference to the atrocity of the particular crime, but to the general character which they imparted to the spe-

cies of action, of noxious action, which was going on in the country. Some cases had occurred in the county of Cavan. One of these cases was that of four small farmers, who had planted crops which were coming to maturity, and who, being well aware of the state of the country, and of the system that was going on, had in each case provided themselves with guns for the avowed purpose of defending these crops surrounding their houses. A short time ago, in one night, every one of these small farmers' houses was broken into, and the guns taken away. There was another case, in the county of Waterford, where the offenders interrupted the storing of the property, and another in Limerick, where a man's house was entered at night and his horse disabled. For what reason was he so disabled? Because he had let out his horse to a carrier at a less amount of charge than these persons chose he should—because he let out his horse at a less rate than these legislators chose to require, he was deprived of his horse. Why did he enumerate these cases in preference to others of a more horrible nature? Because they went to the point he had described. They showed a systematic determination to make war on the legitimate industry of the country, on that which was the element in the acquirement of all property, and which if not checked in the growth must effectually prevent anything like prosperity arising throughout the land. He said, therefore, that this was not a Bill rendered necessary for the defence of the rich man, but it was rendered necessary for the defence of every poor man who was honest—of every poor man who was industrious—and there were no persons who could find fault with this Bill, except those who wished to see property put an end to, and the industry of the country suspended. He had alluded to those cases which had recently occurred; he would now mention a case which had recently occurred in Westmeath, for the purpose of showing their Lordships the character of those persons who were selected for victims under this system—that of Mr. Johnson, who was most popular as a resident magistrate amongst all classes, particularly the poorer, for whom he made great exertions during the last famine; and his (the Marquess of Lansdowne's) informant said—

"I have every reason to hope that, independent of the large sums offered for the apprehension of the assassin, the exertions of the people, who are indignant at the slur cast on their hitherto peaceable district, may lead to his discovery. That there was a conspiracy against Mr. Johnson, owing to his having fined persons for trespass a few hours before he was fired at, I have not the slightest doubt; and as there are several persons concerned, it is most probable the matter may be brought to light."

Another recent case was in Queen's County. A shot was fired into the house of George Barber, and soon after an attempt was made to shoot his son on his way home from the mill, and subsequently a shot was fired into the mill. The cause assigned for this was, that Barber refused to employ a man whom they wished him to employ. Another case was that of the Rev. Mr. Mayne. It appeared that the father and son lived together in a house in the county of Mayo, and an attempt was made to shoot them in their house, at night, on the 28th ult. What would their Lordships think were the reasons assigned for this attempt being made upon these two respectable persons, father and son? It was that the son, who lived with his father, had recently presumed to turn away a servant maid without the permission of this woman's friends, and that Mr. Mayne, sen., had lately married a second wife, of whom these persons did not approve. Having selected these instances for the purpose of showing that the attacks had not been confined to the possession of lands, although that had been the main object, but that all the relations and all the employments of life were attempted to to be governed by this dark and sanguinary code, he would now describe to their Lordships, as shortly as he could, the character and the provisions of the Bill which was now brought under their notice. The noble Marquess proceeded briefly to recapitulate the objects of the various clauses in the Bill. Clause 1 recited that the provisions of the Act were to apply to any part of Ireland specified in the Lord Lieutenant's Proclamation; Clauses from 3 to 9 gave power to the Lord Lieutenant to increase the constabulary force in the districts so proclaimed, according to the necessities which should appear to exist, and to charge the expenses of such increased constabulary upon the districts. It also enabled the Lord Lieutenant to increase the reserved constabulary force by the amount of 200. That reserved force was originally fixed at 200; it had since been proposed to augment it to 400; and the Bill, as it at present stood, gave the power of still furthet augmenting it by 200, making a total of 600, to serve as a permanent depôt, out of which the coustabulary of the disturbed

counties might be increased when necessary; Clauses 9 to 11 gave to the Lord Lieutenant the very important power of apprehending and punishing, as for a misdemeanor, all persons (with a few necessary exceptions) found carrying arms within the proclaimed districts; Clause 11 gave to the Lord Lieutenant, by publication in the *Dublin Gazette*, power to call in all arms in the proclaimed districts, and to call upon persons having arms to deposit them in a certain place, to be restored at such period thereafter as the first-named proclamation should have ceased to be in force. Clauses 12 to 14 gave powers to punish for the period of two years persons having arms within the proclaimed districts, after the beforementioned notice should have been published in the *Dublin Gazette*. Clause 15 conferred the power of granting licenses to certain excepted persons to have and carry arms even within the proclaimed districts. Clause 16 gave a very useful power to justices and constables to call upon persons within the proclaimed districts to join in the pursuit of offenders; and it imposed a most just though severe penalty upon those who should refuse to assist in detecting offenders. This he looked upon as a most important proviso, for it was a most remarkable and painful feature of the system prevailing in Ireland, that notwithstanding the horror which these crimes were calculated to inspire, they were frequently perpetrated in the presence of, or within the knowledge of persons who refused to take the slightest step in aiding to bring the perpetrators to justice. He would mention a case which had occurred in the county of Clare. A man whose house had been broken open and robbed of all the money he possessed, far from being anxious, as their Lordships might have supposed, to make known the great injury that had been inflicted on him, for a long time after the occurrence of the event his great endeavour was to guard inviolate that momentous secret, lest he in his own person should fall a victim for having made known that gross outrage. To put an end to this state of things the Lord Lieutenant had recently made a point of singling out people who, having been attacked, had with undaunted courage repelled the invader and defended their property and lives, with a view of rewarding them for their gallant conduct, and pointing out their example for public commendation. One case recently occurred in Cork, in which an old man, who had bravely defended himself, almost refused the reward which had been sent to him, saying, he had done no more than his duty in defending, to the best of his power, his life and property. He now came to Clause 17, which merely extended to this Bill the provisions of the Whiteboy Acts, the 15th and 16th George III., c. 21, and the 1st and 2nd William IV. c. 44. Clause 18 enacted that accessaries after the fact to murder might be tried and punished, although the principals might not have been convicted or taken: and Clause 19 merely declared that prisoners under sentence might be removed from one prison to another by order of the Lord Lieutenant. He had now recapitulated the principal features of the Bill before their Lordships. Her Majesty's Government, in introducing this Bill, had endeavoured to provide an adequate remedy for the existing evils; but whilst providing a remedy they desired to trespass as little as possible upon the constitutional law of the land. On a former occasion he had ventured to express an opinion that upon the whole the juries of Ireland had done their duty. When he expressed that opinion, some doubt was entertained as to its accuracy; but he was happy to state again upon this occasion, that up to this moment he believed he was justified in saying that the juries of Ireland had conscientiously done their duty. Upon this point he was sure their Lordships would be glad to hear a very recent report which had been received by the Lord Lieutenant from a highly respected resident magistrate in the county of Cork, and he would, therefore, read it. The report commenced—

"County Cork, Middleton, Dec. 3rd, 1847.

"I have to report, for his Excellency's information, that the Middleton quarter-sessions have just terminated. There were 147 notices in the cause book; many of the offences charged, I regret to say, were of a very grave character. Convictions were had in almost every case, and the law has been fully vindicated. There were eighteen persons sentenced to seven years' transportation; one for fifteen years; two imprisoned with hard labour each alternate month, for eighteen months; three for twelve months at hard labour; very many for six months. And all the juvenile offenders were sentenced to three months at hard labour, and each to be three times privately whipped in the gaol under the sheriff's inspection. Some few cases were postponed to the assizes, and four or five have traversed in bar to the next sessions.

"W. H. Wansbrough.

"T. N. Redington, Esq."

Now, he must say that as far as the administration of justice was concerned, that

report was very satisfactory. Another magistrate, speaking of Buttevant, said—

"County of Cork, Kanturk, Dec. 8th, 1847.

"I have to report that the Crown cases at Middleton sessions have been all disposed of. On Friday, the 3rd instant, I proceeded to Buttevant forthwith, and arrived there on the following day, and have to observe that convictions were obtained in almost every instance where the prosecutors attended, or in such cases where the traversers obtained permission to put off their trials to the next Fermoy sessions—amounting to twenty-six persons.

"Thomas Bailey, R.M.

"T. N. Redington, Esq."

He said, then, there was at this moment every appearance and disposition on the part of jurors in Ireland to do their duty. He was not prepared, therefore, to propose any measure which should interfere with jurors. At the same time he could not sit down without saying that there was no interference with any class which that House should not undertake, if necessary, to restore peace and tranquillity to Ireland. That (continued the noble Marquess) is the function of juries; and he hoped it would not, at any future time, be necessary to interfere with the ordinary course of law—he hoped that the peace and safety of the country might be restored without any such interference. That was the opinion of the Government, and that he hoped would be the opinion of the House. The present disturbances in Ireland, though they did not amount to a civil war, were attended with many of the evils inseparable from that condition of society. But even in a state of civil war crimes were committed under some known, though perhaps usurped authority—under the sanction of some names and characters amenable to their contemporaries and to posterity. In the case of the Irish murders no one was responsible; they were committed in secret; their victims were immolated unheard; and so long as such enormities were habitually perpetrated, there would be neither industry nor prosperity in Ireland. He should merely conclude with saying that if the measure now on their Lordships' table did not prove sufficiently stringent to restore the peace of the country, he doubted not that they would willingly grant such further powers as might be required for accomplishing that legitimate and holy purpose. The noble Marquess then moved that the House do now resolve itself into Committee.

Lord FARNHAM had, he said, but a few observations to make on the subject then before their Lordships. He felt it the less necessary for him to occupy their time with any remarks of his own, as he had already expressed himself on the subject in a very pointed manner, and also because he had on the present occasion to read to the House many documents which would put their Lordships in possession of the state of crime which prevailed in Ireland, and the dangers which were so justly apprehended in that country. He would assure Her Majesty's Government that he gave his warm support to the measure that was then before them, not because of the mildness of the measure itself—and he said this in no taunting manner to them—but because he had their assurance that if a measure of such mildness should fail—and he was as certain as he was of his own existence that it would be found insufficient—that then the Government would demand fresh powers, and sure he was that if demanded, that House would not refuse them. He had already stated in a strong manner the state of crime which prevailed in Ireland. He knew that he had been represented as attacking the character of the country by doing this; but he said, that he was as attached to his countrymen as any man could be, yet that regard for them should never prevent him from speaking the truth; it should not prevent him saying that murders were now carried on in Ireland to an extent such as not only had never before disgraced the annals of Ireland, but such as had never occurred in any country calling itself civilised. He felt himself now called upon to read documents illustrative of the state and condition of Ireland; and he was sorry to say, he had to begin with his own county, with that county alone with which he was intimately connected. No actual murders had for the last two years been committed in the county of Cavan; but he could not give a better description of its present condition than that which was to be found in the letter of a gentleman of large landed property in the county—one of the resident and most useful landlords to be found in any part of Ireland. Of course, he should mention no names. This was the letter to which he alluded :—

"I have only returned here a few days, but I considered the state of this country to be so bad that I left my wife in Dublin. From all I can learn, I fear that as bad a spirit exists here as in any of the most disturbed districts in Ireland. You have no doubt heard a good deal about it: and no later than yesterday a person, on whose information I could rely, came to me, and request-

ed that I would settle my affairs with Mr. *****, the agent, for that they were determined to shoot him, and as certainly as he was at that moment alive he would be shot. The same person also informed me that the money was collected for shooting ******, a gentleman of large property and a deputy lieutenant; and that two of the best shots had been appointed to the job. There can be no doubt that these two murders have been determined upon, and the scoundrels only wait their opportunity for committing them. ****** leaves the country immediately; ******, ******, *****, and ****** have already taken their departure, and I think everybody that can will follow their example.

"I fear that the new Coercion Bill will not be found sufficiently stringent to meet the present evil. At the same time I feel thankful for any measure which is in any degree likely to protect life and property."

He had now to read the testimony of one of the most useful and valuable gentlemen he knew. This gentleman was the agent of a large estate — was devoted to the progress of agriculture—improved the estates—took care of the tenants—and did all that a country gentleman could be expected to do. This gentleman wrote to him in this way:—

"Could I write within the compass of this sheet the disgraceful acts within our own district, I would even now bring them to your Lordship's notice.

"But to mention a few of them. Information has been given to the county inspector that ****, *****, and myself were all marked for assassination. The former has been obliged to fly; and must now remove with his large family from his home. Police patrols are kept about our grounds; but, my Lord, the assassin will not openly attack our houses, or give us a fair chance. They will, perhaps, shoot us on our way to or from the house of God, and no hand be raised to stop the assassin.

"Again, Mr. ******, after the most frightful notices, has left his home. Mr. ****** is also threatened to be shot. A friend, calling at my house, said he was told that a party in Cavan had been overheard saying that Mr. ******, Mr. ******, and myself, were all marked. (Two gentlemen, different from those above-mentioned.) But such is the reign of terror, that every man looks at his fellow-man with distrust, and dares neither inform on, or appear in evidence against, those who carry on a code of law disgraceful to humanity, and ruinous to the interests of life and property. As an evidence of this, I enclose you the copy of a letter I received, warning me of my fate. Of course I withhold the name of the person who so kindly gave me the information, as his life would be sacrificed.

"Your exposition of the state of Ireland is true to the letter; and justly do you say, 'no measure could be too unconstitutional to be applied at the present time.'

"P.S. The clerk of the Ballyhaise Mills has just been fired at, but escaped uninjured."

"COPY OF FRIENDLY WARNING RECEIVED BY ME, NOVEMBER, 1847, AND REFERRED TO ABOVE.

"(Private and confidential.)

"Sir—When I received the intelligence, by chance, it was after post hour. I now write to inform you that your life is perilled to assassination. Your precaution rests on your own judgment; but the duty I owe to society imposes on me the conscientious duty of imparting to you that your death is sealed.

"I write to you confidentially as a gentleman who would not deceive me by divulging what would expose me to the same perilous situation in which you now stand."

He had now to call their Lordships' attention to another letter, which he was sure would move their feelings deeply:—

"Did you hear of poor Mrs. George Beresford's death? Her husband is a clergyman, and nephew to Lord Decies. She was literally frightened to death by the fear of her husband being murdered. She and her unmarried sister were out, and were accosted by two men, who asked them 'if they would like to know who the next two men to be murdered were. Miss! your brother is one—and, madam! your husband is the other!' That same evening Mr. Beresford was sent for to see some sick person; and on his going—in ignorance of what his wife had heard in the morning—Mrs. B. sent some policemen after him, to join him as if by accident, and not to leave him. On his return, some time after, he said, 'Do you know, I firmly believe, had it not been for some police, who joined me on the road, I should have been murdered; for there were some dodging me about; and when I arrived at the place I had been sent for, I found no sick person, nor indeed any one.'

"Poor Mrs. Beresford was so alarmed at this that she went into convulsions, and died two hours after.

"Really, the state of crime in this unfortunate country is quite dreadful; and it makes one's blood run cold to hear of the deliberate coolness with which they take away the lives of their fellow-creatures."

He had next to refer to a letter written by a gentleman who resided on his property, and who wrote to a relation of his (Lord Farnham):—

"As you must be interested in the peace of our country, and may wish to have information of what a state we are in, I write to tell you that on Wednesday last I got through the post-office a letter, which had been posted in Derry, threatening my life, or, as the writer expressed it, to shoot me like a dog, if he waited six months for an opportunity of doing so. The same evening three peaceable young men, named ****, ****, and ****, were shot while returning from **** market, along the high road. These facts show the total uselessness of the present Coercion Bill if the disarming of suspected characters is not universal in Ireland. It is hard enough — I have lived constantly here for the last twenty years (ever since I was of age, except one year I was abroad) — I have spent 25,000*l.* in giving employment to the poor on the estate, and have now got a loan from Government to give employment to all able to work upon the estate for three years

to come, and am now obliged to walk about my own demesne carrying loaded firearms, and two men along with me armed to the teeth. That I have nothing to fear from my own tenantry I am perfectly convinced; but there is such a number of strangers roaming about the country, and we have had such awful examples in other counties, that we must be cautious even here, which we always considered the quietest part of Ireland. I have entered fully into the matter, as you might wish to know of it."

The next case he had to refer to was that of a threatening notice sent to a friend of his own, who, he was happy to say, had providentially effected his escape from Ireland—where, if he had remained, he would have fallen a victim to the assassin—and was now actually sitting near him in their Lordships' House. He had no scruple as to mentioning his name. It was directed to "Lord Crofton, or his detestable agent:"—

"December, 5, 1847.

"My Lord—From the continued tyranny practised by you and your infernal and hellish agent ——, in endeavouring to destroy the poor in every quarter where he gets the least power so to do; he haveing, at this dreadful season, sixty families under ejectment for a tyrant, who has his protection by being absent. Now, if you do not wish to share like fate of two better men who have late fallen victems to evel advisers, you will on recept of this dismiss from your employment that bastardly imp of hell, the petty tyrant and exterminater of the poor. If you neglect this, blame no one for the consequences that will follow, but your headstrong and mad selfe. You shall never get a second warning in this friendly way.—I remain

"A Friend to the Oppresed and Unhoused Irish Poor."

The next letter read by his Lordship referred to the case of a gentleman who had expended more in relief for the poor than any ten others of the humane landlords in Ireland—he referred to the case of Sir Robert Gore Booth, and to whose valuable and humane services testimony was borne by Mr. Labouchere, then Secretary for Ireland. Attempts had been made to shoot this gentleman. His groom, who rode his horse, and was supposed to be Sir R. Gore Booth, was fired at, but providentially escaped. [His Lordship then read a letter from a gentleman holding a high official situation, which stated, that the friends of Sir Robert Gore Booth entertained the most painful apprehensions for his safety, and that his life was considered in the most imminent danger. That already two murderous attacks had been made upon persons in his immediate employment, and that he (the writer) and other persons in authority had informed Government that Sir Robert Gore Booth absolutely required personal protection.] He should now wish to read to their Lordships the testimony that had been given as to Sir Robert Gore Booth—as to his being a good landlord, and as to the amount of good he had done in Ireland:—

"Sir Robert Gore Booth's estate is large, and the supplies he has procured would keep those of his own well enough, were he not pressed also to find his neighbour's tenants. At his own place, Lissadill, he has established two soup boilers, which make each 140 gallons of soup; and I calculated the cost of the soup in each boiler to be about 32*s*. 6*d*. He gives gratuitously 280 gallons of the soup per day, including Sundays. He sells, six days in the week, 150 loaves per day, each being four ounces larger than the fourpenny loaf sold in Sligo; and sold by him at twopence per loaf. He also sells 50 tons of Indian corn per week, at a reduced price, and gives a portion of Indian corn to thirty persons daily. In this manner he has provided for the poor, through the agency of his chaplain, Mr. Jeffcote, since the 29th of August, Indian meal, 393 tons; barrel flour, 70 tons; whole wheat flour, 40 tons; biscuits, 9 tons; rice, 3 tons; oatmeal, 12 tons—total, 527 tons. He has still a good deal in hand; and has ordered on his own account, in addition, Indian corn, 2,375 tons; new seed oats, 81 tons; hogsheads of flaxseed, 10 tons. He has at this moment in Greenock, ready to be shipped (but he is in difficulty respecting freight), 200 quarters of oats, 23 quarters of barley, 200 loads of beans, 18 tons of peas, 100 barrels of flour, 180 of wheat, 99 tons of oats, 25 tons of barley. Much good would be done if the Government would assist Sir Robert Booth in having this large quantity of food transported into Sligo. What he has done for the part of the country in which he resides has been so well done that it would prove a real blessing to enable him to do more."

He thought it was scarcely possible for any man even to have thought of doing so much for a starving population. It could be proved that in one year that gentleman had spent not less than 20,000*l*. in finding employment for the people. The next case was one of a most affecting nature, but unfortunately it was one common to too many of the faithful Protestant clergy of Ireland. It was a letter from a worthy and humane Protestant clergyman, who, writing to a friend, said—

"Dec. 10, 1847.

"Will you kindly find me out some good clergyman to take my duty for six months at * *? I am obliged to flee for my life; and such information has been given me that I cannot doubt, coming from such a quarter and without my ever seeking it. It is hard to meet with such base ingratitude as this is to me in * * *, where I have been just 17 years, and where the people have had my best years, health, and means ever employed for their relief and good in every way, without distinction, Romanists being ever treated by me with distinguished kindness, as they well know.

"I have been now more than two months in

horrible suspense since I received a Molly Maguire notice, and this day a further assurance of the fixed determination on the murder of myself and another gentleman.

"I shall request your exertions, and an answer as soon as you can. At all events I cannot remain. I must fly till this tyranny be overpast. Very faithfully yours, ———."

Another friend wrote to him:—

"Dublin, Dec. 13, 1847.

"My Lord—Though I am most unwilling to intrude upon your Lordship's valuable time, or meddle in public affairs, I feel that it would be a dereliction of duty in the present case were I not to step out of the ordinary course, and communicate what your Lordship is not likely to learn but from private sources of information.

"During the past week or ten days several of our valuable and excellent clergy, who make my house their resort, have been obliged, at a moment's warning—some with and some without their families—to vacate their homes, and seek refuge in the city, having been warned in some cases by friends or dependants, and in others from unknown but apparently well-informed sources, that delay would be certain death.

"At the present time there are four clergymen here similarly situated—two whose murder had been planned; and so certain were parties eight miles distant that it had been accomplished at the prescribed time and place as intended, that it was asserted as having taken place. I am unwilling to trouble your Lordship with detail; this, if needful, can be supplied and substantiated; but I can say, in each case that has fallen under my notice, the respective sufferers have been remarkable for their activity and well-directed energy during the late famine—not merely in the distribution of public bounty, but also in dispensing from their own resources beyond their means, so that even the Roman Catholic priests of their districts could not withhold their commendations, nor could they charge them with undue influence or attempts to proselyte.

"I feel, after the noble stand your Lordship has made in defence of our lives and properties, and our rights as Protestants, characterised by so much sound judgment and knowledge of the country and its wants, that your Lordship will avail yourself of this private information, so as, if possible, to render it useful in the present fearful state of the country. I am sure I need not further apologise to one who has in so many ways, with all his appliances, sought the good of his country. The enclosed letter, received from *****, is but one instance out of many of the base ingratitude shown by a Popish people, in return for untiring zeal and unwearied exertions in their behalf. Will your Lordship permit me to say, that the present feeling here is that the measures proposed are not at all sufficiently stringent to meet so disorganised a state of society; and until the Ribbon faction can be cut up, and priestly denunciations, direct or by implication, put a stop to, security need not be expected, nor can confidence be restored? You, my Lord, well know the self-denying and laborious character, the retiring habits, and the long-enduring patience of the Irish clergy, who have long been familiarised with privations, and are little given to complain. It is with reluctance they do so now. I now, with their concurrence, take the most likely course to have their case brought into full and fair consideration; and certain I am that, to the utmost of your Lordships' influence, the clergy of the Established Church of Ireland will in your Lordship find a firm friend in this their time of need.

"Believe me, my Lord, with most sincere respect and esteem, your Lordship's faithful servant,

"———.

"The Right Hon. Lord Farnham, K.P., &c."

He had now done with cases of that description; and he would very briefly revert to a subject which he had brought under their Lordships' notice on a former evening—he alluded to the denunciation of persons by Roman Catholic priests in Ireland. In doing so, he wished, as he had formerly done, most distinctly to have it understood that in bringing that painful and delicate subject before their Lordships, he made no attack upon the clergymen of the Roman Catholic Church as a body, nor upon any individual of that body except those to whom he referred by name. He took that occasion to say that on every occasion he had received from the Roman Catholic priests in Cavan the most cordial co-operation and most efficient support in his arduous, and, he trusted, somewhat successful endeavours to preserve the Queen's peace. He would also add that he had received the most warm support of those gentlemen in his attempts to alleviate the distress of the people. In justice to an individual whom he had the pleasure of calling a friend, a man than whom none were more kind, or more anxious to aid and assist in the maintenance of the law, of all the men connected with the Roman Catholic Church, the individual he most esteemed, and regarded most, was the Right Rev. Dr. Browne, the Roman Catholic Bishop of Kilmore. He (Lord Farnham) was only in the discharge of an imperative duty, and he disclaimed being accountable for any editorial or newspaper statement, charging him with having been connected with the Orange lodge, and charging him with bringing gross charges against the Roman Catholic priests as a body. Again, he said, he made no allusion to any one individual belonging to that Church, except those bad men whom he could not hold up to the execration of all good men in too strong language. In regard to his charge against the Rev. Mr. Hughes, he had received the fullest corroboration from a friend of his own, but whose name, although he was not bound to secrecy, he did not think it prudent to communicate. It was sufficient to say,

that he was an individual whose name and high character were well known to all their Lordships, and who was intimately acquainted with many of them. His friend writes:—

"The violent expressions referred to at the Castlebar meeting, were certainly uttered; as I know from the evidence of a trustworthy auditor.

"Mr. Hughes's speech at length got so violent, that another priest, a trustworthy man, called him to order. I regret to see the priests, who did good service in encouraging the people to bear their inevitable suffering in patience last winter, now in some places making so bad an use of their power. There are not, however, many about here like Mr. Hughes.

"Certainly such speaking does more to starve the poor peasantry, by disgusting all who are inclined to help them among the charitable English, than the most wholesale evictions, or exactions of the worst landlord. No one is more anxious to treat them well, as long as they preserve the sacredness of their character, than I am. No one more sincerely blames them for the desecration of their holy office and profession."

He was sorry to lay before their Lordships a fresh instance of priestly denunciation—a case which he thought even more important than any which had preceded it. He did not feel at liberty to mention the names of any of the parties connected with the case, nor the county, not even the part of Ireland in which it had occurred, nor, indeed, anything which might indicate the locality where the occurrence took place, because if the matter were not already under the consideration of the law officers of the Crown in Ireland, so far as he was concerned it would soon be brought to their notice; nor would he say whether the language he complained of was used on only one or upon many occasions—suffice it to say, that language was used by a priest of the Roman Catholic Church denouncing certain individuals by name; that one of those individuals was attacked immediately after the denunciation, and escaped with his life with the utmost difficulty. He might also add that he believed sufficient evidence would be produced of the fact and of the language to bring the conduct of that priest under the cognisance of Her Majesty's law advisers in Ireland. The information which he laid before their Lordships did not rest upon hearsay alone—it was founded upon original documents and letters from persons of whose character there could be no doubt whatever. He must again call their Lordships' attention to the case of the Rev. Michael M'Dermott. That individual had published a letter, not referring to any statement made in that House, but referring to certain statements which were alleged to have been made by Sir Benjamin Hall in the other House of Parliament. It was perfectly competent to the rev. gentleman—it was natural and only just to himself that when accused on such a charge he should take every legitimate means of defending himself. The rev. gentleman was perfectly justified in writing a strong letter; but it was another thing if the language, the character, the style, and the tone of the letter, the very expressions used in it, were the same as the language he inculpated; then he felt perfectly justified in bringing such conduct under the notice of their Lordships. But he was so disgusted with the letter that he would not read it to their Lordships—he would only say that throughout every part of it it breathed a spirit, he would not say of murder, but this he would say, that the whole tenor, tone, and language of it were calculated to arouse the worst passions of the misguided people, whose spiritual director he was, and to excite them to deeds of violence and blood. He really felt justified in saying that every part of this letter breathed the spirit to incite to murder. No document could be conceived which could possibly breathe a worse spirit, or could less become even a man calling himself a Christian, far less one who was a teacher in a Christian church. In that document, speaking of a friend of his, the son of the murdered Major Mahon, he had the heartlessness to call him "the still mourning, but more lucky possessor of the Major's property." What had been the language of the same clergyman only nine years ago? In writing to Major Mahon in March, 1836, he said—

"I beg to assure you of my sincere gratitude for your kindness towards myself personally, and your encouragement to the improvement and industrious habits of my parishioners since you came to reside amongst us. May Almighty God render to you the full reward of your good intentions, and grant you long life to reap the fruit of your kindly disposition in the affections of your poor tenantry!—I am, dear Sir, with the highest respect and gratitude, your obedient humble servant,

"Michael M'Dermott.

"To Denis Mahon, Esq."

And in a second letter, of July, 1845, he ended thus:—

"I always use my utmost exertions to promote peace among the people, and, above all, respect and punctuality to their landlords and the proprietors of the soil.—I remain, dear Sir, with deep sentiments of gratitude and esteem, yours sincerely, "Michael M'Dermott."

He now came to a part of the case when

they would see the Rev. Mr. M'Dermott adopt a very different tone. He had a statement, in the handwriting of the late Major Mahon, of the proceedings at a meeting he attended, after an absence of six or eight months in England. On his return home, he as a landlord wished to perform his duty, and assist in the relief of the poor; and accordingly attended at a meeting of the relief committee, at which the following extraordinary scene took place :—

"AUTOGRAPH MEMORANDUM OF THE PROCEEDINGS AT THE RELIEF COMMITTEE, STROKESTOWN, AUGUST 28, 1847, WRITTEN AND SIGNED BY THE LATE DENIS MAHON, ESQ.

"Strokestown House, Aug. 28, 1847.

"The following is a statement of the proceedings which took place this day, when the relief committee met :—

"On looking at the books on first going in, I observed that there had not been a meeting of the committee since the 24th of July ; and on my asking Mr. M'Dermott if there had been any, or if he had called a meeting, he replied, No, and that he did not see any occasion—that things were going on regular and correct ; and even added, that, had he known it was desirable, he would have done so. We then proceeded to examine the accounts and look over the vouchers, &c. &c.; and having found them correct, I expressed myself to that effect, and then proposed we should go over the lists, which we were called on to revise that day, with a view to reduce the number getting relief, according to the instructions given by Major Howard. The very uncivil and uncourteous manner in which Mr. M'Dermott answered my inquiries, made me put my questions chiefly to the clerk, Costello, wishing to avoid any altercation with Mr. M'Dermott; and, indeed, during the early part of the inquiries, he assured me that it would take my attendance on several days of meeting before I could possibly understand all the details, &c.; to which I not only assented, but assured him that I had no other wish in these inquiries but to make myself acquainted with what, as a member of the committee, I ought to know.

"I still continued to put my questions to Costello ; and, among others, I asked him who revised those lists ? For some time I got no answer ; but, on pressing for one, Costello said, the committee. I asked, who were those of the committee that did so ? He replied, Mr. M'Dermott, and that he (Costello) and the other clerks assisted him. On which Mr. M'Dermott rose up in a violent passion, and asked how I dared to come there to tyrannise over him ? How dare I come at the eleventh hour, after leaving him to do all the work, and attack him by 'my side wind' allusions ? but that he would not bear it ; he had a hand to defend himself, and would do so. He was certainly in a violent passion, and would not listen to my repeated assurances that I had not in the slightest manner said, or intended to say, anything to annoy him. I even appealed to Dr. Shanley if I had done so ; and he assured the rev. gentleman that I had not, and that he was perfectly satisfied I had said nothing which Mr. M'Dermott ought to consider as meant towards him. However, all I could say, or the repeated assurances I gave of not having the slighest wish or intention to attack his conduct in any way, was of no avail. He still continued to use the most abusive and insulting language that could be used by any man to a gentleman. How dare I now, when the committee was nearly closed, and that I never chose to attend since my return home—how dare I now come, and by side wind attack him ? I then reminded him of his own words on our meeting that day — that I could not attend, for that he himself had, at the commencement of our meeting, stated that he had not considered it necessary we should meet. His immediate reply was, 'It is false, it is false ; and you know it to be false, although you say it.' I referred him to Dr. Shanley, to know if it was not so ; but he would not listen to anything. He then continued to abuse me in the most insulting manner. I was a 'stupid ass.' I had not common sense. He only wondered where, or if I had had any schooling ; for a more ignorant fellow he never met. Such an ass, that if I had had any schooling it was quite thrown away on me. He then said, turning round to his clerks and Dr. Shanley, 'Here have I been for two hours trying to drive into his stupid head some information, and he is so ignorant he cannot understand it.' I was, no doubt, annoyed at such language, but I did not lose my temper, for even that insulting language. I begged to remind Mr. M'Dermott that he had stated in the early part of the day that my attendance for several meetings of the committee would be necessary before I could perfectly understand it. However, all I could say was of no use. I called on Dr. Shanley and those three clerks who were present [to say] if I did not several times assure Mr. M'Dermott that he was under a false impression, if he chose to think I meant anything personal to him—that I had no such intention. He then again alluded to what he considered as 'side wind' attacks I was making at him. I assured him I had not, that I never had, and never would do so, for that if I had reason to find fault with his conduct, or that of any other man, I would do so openly, and that I defied him to state my ever having done so, as I assured him I was not afraid to tell him to his face anything that I had to complain of. However, all I could say was of no use ; he still continued to repeat that I had come when all the business had been done by him, to find fault and tyrannise over him; that I had spent my winter in London to amuse myself, and had left my people to starve in the streets and die, without ever looking after them ; that I had done nothing for them, and had no right now to come and interfere ; and also he stated to me that I had not attended a committee or done anything for the poor since my return, but had amused myself burning houses and turning out the people to starve. That, I was obliged to assure the reverend gentleman, was not the case, and that whatever I did with regard to my property I conceived rested with myself; that I would not allow him or any man to interfere with me in that respect, and desired him not to presume to meddle with my private affairs. I then felt so hurt that I declared I would not remain any longer, or do any act that day, after the manner in which I had been insulted by him. I then told Dr. Shanley, that after Mr. M'Dermott's conduct towards me, I should report it to Major Howard, and let

him know that in consequence of it nothing had been done respecting the revision of the relief list.

"We then broke up, and Dr. Shanley and myself walked down together, when I told him I requested him to keep in mind the manner in which Mr. M'Dermott had behaved to me that day, as I should bring the matter before Major Howard, and request a meeting of the committee on the subject. Dr. Shanley said he would, and remarked that I could not do otherwise.

"Aug. 28, 1847. "Denis Mahon."

Major Mahon followed up this extraordinary conduct on the part of the Rev. Mr. M'Dermott by writing to him the following letter:—

"Strokestown House, Sept. 8, 1847.

"Sir—The very unwarrantable language which you made use of towards me on Saturday, the 28th ult., at a meeting of the relief committee, in presence of Dr. Shanley and others, and further, if I am rightly informed, repeated again by you at your chapels the following Sunday—in justice to my own feelings, and as landlord over a numerous tenantry, I feel doubly called upon to request you will give me an opportunity of replying to these very serious charges. As I understand the relief committee are to meet on Friday next, I request you will come prepared to prove them, as I am determined to lay the matter before the committee on that day (or whatever day they shall meet), and submit to them how far you were warranted in making such charges against me.—I remain, Sir, your obedient servant, "Denis Mahon.

"Rev. Mr. M'Dermott, P.P., Strokestown.

"P.S. I request your answer at your earliest convenience."

In reply, Major Mahon received the following letter from the Rev. Michael M'Dermott:—

"Strokestown, Sept. 9, 1847.

"Sir—Until you make atonement to my feelings as a clergyman, for your insolent and personal attacks, I shall attend no meeting where you are present, either publicly or privately. I make this reply to convince you that I am only anxious to avoid a person whose conduct seems so extraordinary, and who seems to disregard the ordinary forms of civil society. My calling does not allow me to resent the insults I receive, and therefore common prudence, as well as religion, point out to me the necessity of withdrawing myself from the society of persons who may be inclined to offend me.—I am, Sir, your obedient servant, "Michael M'Dermott.

"Major D. Mahon."

Their Lordships would perceive that Mr. M'Dermott in this letter makes no allusion whatever to the charge made against him of having on the previous Sunday denounced from the altar this unfortunate gentleman. It was not his (Lord Farnham's) intention at the present moment to occupy their Lordships' time with a description of the admirable manner in which the property of the late Major Mahon had been managed, because he felt that he had already trespassed too long upon their patience. He should merely remark that there was a passage—the concluding one in the Rev. Mr. M'Dermott's letter, in reply to the charges made by Sir B. Hall in the other House — which he thought deserving of their Lordships' attention, inasmuch as it contained a most extraordinary and most valuable admission:—

"If," wrote he, "Sir B. Hall would for experiment sake exchange his comparatively high and exalted situation for the trodden-down situation of those whom he so liberally denounces, he would, perhaps, feel the position and understand the motives of those who, unlike him, do not enjoy the benefit of having their bad passions moderated by a moral and religious education, but who are induced to seek revenge, even to the hazard of existence, on finding themselves dragged from their homes to be plunged into the deepest wretchedness and destitution."

He would ask their Lordships, after having read that letter, to say what they thought were the probable or actual reasons which induced the misguided peasantry in the neighbourhood adding to the crimes that had already disgraced Ireland for so many months past, to commit this most horrible murder actually within about twelve yards of many thickly-inhabited houses—a murder, be it observed, the news of which was received in Roscommon with blazing bonfires? He would ask their Lordships this simple question—whether they thought it was the oppressive conduct of a kind, benevolent landlord like Major Mahon, who was forced to get rid of a large number of tenantry because they owed him upwards of 30,000*l.*, many of them in arrears of four years' rent, and who showed still greater kindness to them by not putting them out on the roadside without a home or without shelter, to be, as it were, trodden under foot, but who, on the contrary, actually expended amongst them upwards of 6,000*l.*, with the view of enabling them to obtain the necessary comforts in a foreign country? He would ask their Lordships whether the conduct of such an individual as Major Mahon was the cause of the peasantry of Roscommon committing such a crime; or whether it was not much more probable, to use the emphatic language of the Rev. Mr. M'Dermott himself, because "they do not enjoy that benefit," which he accords to Sir Benjamin Hall, "of their bad passions being moderated by a moral and religious education?" The noble Earl concluded by apologising to the House for occupying so long the attention of their Lordships.

EARL FITZWILLIAM said, that in the present state of Ireland every body must approve of a measure whose office was to repress crime. He therefore approved of the Bill. If, however, he were to attempt to characterise the present Bill, he should say, not that it was the best measure that could be devised, but simply that there was nothing wrong in it. He doubted whether it went to the full extent to which it ought to have been pushed in the present circumstances of the country; and for his own part he should have been willing to give his assent to a measure of a more stringent character. It was, perhaps, desirable that the powers given by the Bill should be so far narrowed that it should be almost impossible for any one possessed of rational views to entertain the slightest objection to it. Looking at it in this view, therefore, while it might have been desirable for the Government to have gone further, it was, probably, undesirable on the other hand, to risk the unanimity with which the Bill would now be passed. Although there might have been a few Gentlemen in the other House of Parliament, who, whether from the feelings of their own minds, or for the purpose of arriving at the popularity which he trusted they would not succeed in obtaining by their conduct, had opposed the Bill, and whose views might be accounted for in one or the other of these ways, yet that opposition had been reduced to the narrowest limits, whether it were tested by the numbers by whom the Bill had been opposed, or by the intellect which had characterised the debate on the part of those who had so opposed it. It was, therefore, with the most perfect satisfaction that he gave his assent to the measure; and he was also desirous of expressing his perfect willingness to go further if his noble Friends on the Treasury bench found the measure inefficient for the purposes for which it was intended. He trusted that its provisions would be carried into effect with prudence, but above all with vigour and without delay. The search for arms ought almost to precede the proclamation; for if the Lord Lieutenant proclaimed a district, and suffered a single day to pass over before instituting a search for arms, those miscreants who had collected arms for the purposes of assassination and outrage would be adroit enough to secure and conceal them. He would also beg to suggest to the Executive Government and to Parliament a provision which might be called unconstitutional. He deprecated the introduction of what he must call constitutional twaddle into a subject of this kind. Let not "the constitution" stand in the way of substantial justice and the preservation of the lives of Her Majesty's subjects. Well, then, unconstitutional and un-English as he might be told it would be, yet he entertained doubts whether some restrictions ought not to be imposed upon locomotion in Ireland—whether some difficulties ought not to be imposed on the change of place of certain persons living in certain districts. He agreed in the opinion that many of the recent assassinations were committed by persons not resident in the immediate neighbourhood of the places where the murders were committed, but who were sent for from a distance for that purpose. With the view of providing for such cases, he should be quite willing, if the Bill did not attain the object proposed, to put some restriction on what might be called locomotion in those individuals. He begged their Lordships not to shut their eyes to what must be the social state of the country in which such scenes took place, in which men were instigated to commit such crimes, and in which such instigations could be successful. These outrages, however, were only to be considered as symptoms, and dealt with as such; but at the same time he must raise his voice against any rash interference on the part of the Legislature with the relations existing between the various classes of society in that country. He referred more particularly to the subject of landlord and tenant, in which, if they interfered in the manner recommended by some, they would be stirring a question the end of which they could not foresee. Let not those who were connected solely with England flatter themselves that this question could be confined to Ireland. The two parts of the empire were one country, and if Parliament legislated upon this matter according to the opinions of some in whom it appeared that a spurious philanthropy had got the better of their reason, depend upon it they would be led into a course of legislation the end of which the Gentlemen of England could not possibly foretell. But while they were dealing with Irish crime, let them not forget Irish distress. He thought it his duty to warn their Lordships that in the course of the ensuing winter there would not be less distress in Ireland than during the last winter.

Let their Lordships, the other House, and the public of England, be assured that when they had dealt with Irish crime, the next thing they would have to deal with would be Irish distress. Let them not, when dealing with the criminality of the hired assassin and the denunciations with which the altar was said to have been polluted, be diverted from considering the deplorable distress which numbers in that country must feel; and he believed were already beginning to feel. No one could have read history aright who did not expect that great calamities like the famine of last year would be followed by outrages and crime. Famine, pestilence, recklessness, crime—this was the natural order of events. Whenever it had pleased the Almighty to afflict nations with famine, those nations had always been subsequently desolated and disgraced by crime. An instance of this truth might be found in the reign of our own Charles II. He admitted that the man who was hired in Roscommon to commit murders in another part of the country was not a man who was actually famishing; he must have something in his stomach to enable him to travel to the place where his intended victim lived. Nevertheless, the House must not imagine that there was no connexion between the recent insufficiency of food in that country and the crimes that disgraced it, because they almost invariably followed each other as cause and effect.

Earl ST. GERMANS said, he did not rise for the purpose of offering any opposition to the Bill which was lying on their Lordships' table. No man who had heard the statement of the noble Marquess, or who was at all acquainted with the state of Ireland, could object to investing the Executive Government of Ireland with extraordinary powers for the purpose of establishing something like a state of security in that country. He should not, therefore, obtrude himself for a moment on the attention of the House, if he thought that anything he might say would be supposed to have the effect of impeding the passing of this measure. He could not, however, allow the occasion to pass without asking their Lordships whether there was any difference between the circumstances under which this Bill was submitted to their Lordships, and those under which he proposed a somewhat similar measure in 1846. In the Session of 1846, he had the honour to make a statement in that House, inferior, he well knew, in eloquence to that which had been made that evening by the noble Marquess—but one which perhaps could scarcely be said to be inferior to it in the catalogue of offences which it contained, and the system of crime which it set forth. On that occasion their Lordships were at very considerable pains in discussing and improving the provisions of the Bill which he then introduced. That Bill was not a measure of general coercion; as, under the present measure, it gave power to the Lord Lieutenant to proclaim disturbed districts. It gave him the power of sending into these disturbed districts additional forces of constabulary, and of charging on the disturbed districts the expense of maintaining such additional force; and further, it gave him a power which was not in this Bill, of making compensation to the widows and families of murdered individuals, and of giving some compensation also to individuals, who, though not murdered, had been maimed by attacks made upon them. He was not now going to discuss whether that clause was or was not a salutary provision; but he wished merely to show, that in all essential respects the Bill then introduced was as good as that now before their Lordships' House. The House of Commons, however, not only did not take the trouble to read the provisions of the measure which had received the sanction of their Lordships' House in 1846, but they refused to give their sanction to the principle on which it was founded. He would not say that the responsibility of all that since occurred rested on those who gave that vote in opposition to the principle of the Bill of 1846; but he would say that, by an error of judgment, the majority in the House of Commons took a course on that occasion to which was mainly to be attributed much of the crime that had since been perpetrated in Ireland. He would not lengthen this inquiry; but he would say this much, that the introduction of the present measure by Her Majesty's Government in both Houses of Parliament, was not only an act of justice to Ireland, inasmuch as it gave some hope of the re-establishment of law in that country, but it was also an act of justice done to those by whom the Bill of 1846 had been propounded—to men who, he would venture to say, had proceeded on a liberal and conciliatory policy towards Ireland—who had endeavoured to develop the industry and the resources of that country — to extend the blessings of education among all classes of the community, without religious distinc-

tion—and to bestow upon that country all the blessings that were to be derived from the British constitution. He trusted that he would never be found wanting in the discharge of his duty towards Ireland when a liberal and conciliatory course of policy was adopted; but at the same time he would not shrink from the responsibility of aiding in a measure that might be thought harsh, but which he believed necessary to secure due protection to life in that country. As the noble Marquess had said, this was not a measure so much for the benefit of the rich man, who to some extent had the means of protecting himself, as of the poor man, who was at all times open to the attack of the assassin. It should, therefore, have his most cordial support. As the noble Lord who had just sat down observed, expedition on such occasions was of prominent importance; and he trusted, therefore, that the Bill would at once become the law of the land, leaving the Government to redeem the pledge which they had given, that if they found it in any respect deficient or inadequate, they would come to Parliament for further powers. He felt that persons desirous of committing crimes could easily keep without the prescribed districts; and he apprehended, therefore, that the possession of arms by any considerable number of the inhabitants should justify the proclaiming of the district, and the seizure of the arms found in it. He threw out this remark, however, merely for the consideration of Her Majesty's Government in carrying out the law. He quite agreed with the noble Earl who had just sat down, that the state of crime in Ireland showed something unsound in the social condition of the country; but at the same time he was of opinion that Her Majesty's Government exercised a sound discretion in not accompanying this measure with any remedial measures. He trusted, however, that after the restoration of tranquillity in Ireland, Parliament would proceed to take into earnest consideration any measures which Her Majesty's Government might have to propose having for their object the improvement of the condition of the people, and the development of the resources of the country.

The MARQUESS of SALISBURY said, he regretted that the measure was not of a more stringent nature, though he was at the same time aware that a more stringent measure might have met with a much more protracted opposition in another place, and that great delay would thus be occasioned in bringing it into operation. He was not disposed to find fault with a measure having for its object the putting down of crime in Ireland; and he was also gratified to find that Her Majesty's Government intended coming to Parliament for further powers, if the present Bill was found to be inoperative.

LORD BEAUMONT said, it was not his object to go into the great question of the present state of Ireland, nor did he intend to go into the details of this Bill. He rose for the sole purpose of alluding to one portion of the speech of the noble Lord who spoke second in the debate (Lord Farnham). He felt that that speech imposed upon him a painful and disagreeable task; but painful and disagreeable as it was, he would not flinch from the fulfilment of it. The noble Lord had now, not for the first time, and in language which left no doubt—which could not be mistaken—made against certain Members of the Roman Catholic priesthood in Ireland, charges which, if proved, undoubtedly stigmatised them as among the chief causes of the state of crime in Ireland. It was vain to tell him that it was only individual priests who pronounced the denunciations which the noble Lord alluded to. It might be so; but the voice of a single priest was so respected among the people of Ireland near whom he dwelt, that his voice spoke like many tongues among them. It was true the noble Lord confined his charge to individuals. It was perfectly true that the noble Lord took care to guard his charges with a general approbation of the body to which the members whom he attacked belonged. Nay, he did more; he went, as he (Lord Beaumont) thought unnecessarily, out of his way to point out the intimacy with which he lived himself with clergymen in his neighbourhood. He showed his own kind feeling towards those who were willing to act well in their administration. There was no necessity for the noble Lord to make these observations. Nobody doubted that the noble Lord felt as kindly and charitably towards members of the priesthood of a faith opposed to his, as he did even to the members of his own persuasion, on the broad basis of that charity which no doubt the noble Lord possessed, and which prompted him to hold out the hand of brotherly love to all. But though the noble Lord guarded his remarks with these general observations, the charges which he brought against a certain number of their

body, must, or at least ought to be felt by the body of the priesthood as a kind of stain upon them all. He would say distinctly, that if no other instances than the instances produced by the noble Lord could be brought forward, still these alone ought to be sufficient to rouse up the whole body of the priesthood of Ireland, for they ought all to feel that there was a stain upon their honour as long as these charges remained uncontradicted. Did their Lordships know the composition of that body? Did their Lordships know the connexion that existed between the highest and the lowest members of the priesthood? That it was the duty of the bishop to watch over the conduct of his priesthood, as it was the duty of the priest to watch over the conduct of his congregation? The whole thing was linked and closed together, and they could not bring charges like these against one member of the body, without directly assailing, or indirectly casting some kind of stain on the rest. Therefore, since these charges had been made—publicly and distinctly made, and echoed and printed, and universally circulated — made, he would add, not violently and hastily, but deliberately, coolly, and systematically brought forward, and he would say further, supported with such evidence as made him inclined to believe them to the full extent to be true—he had since then, he repeated, been painfully disappointed at not finding from those high in office—from the assembled body of the Catholic bishops—such measures announced as would sift to the very foundation the accusations that had been thus brought forward. If he could address them now, instead of speaking in that House he would say, "There is a stain upon you and upon me—there is a stain on the whole priesthood of Ireland—there is a stain, more or less, upon the laity of Ireland, if they do not rouse their priesthood into action under such a stigma—a stain which you are bound to sift and to examine; and if you find it to be true you are bound to punish the guilty party, and to make a general order and ordonnance that any priest who henceforth denounces from the altar any man, by name or indirectly, or who in any way refers to any individual before his congregation at the altar, or from the pulpit, or at the rails, or at catechism, or out of doors, in public or in private, is, in the present state of Ireland, worthy of censure." This was done in other countries. Elsewhere, on the first announcement of charges such as these, the bishop of the diocese would be bound, in the discharge of his duty, failing in which, he would be called to account for his neglect, to immediately issue general orders, and to bring the individual named before some tribunal. But in Ireland, though all these things were publicly spoken of, he saw with pain that no step was taken on the part of the priesthood to inquire into them. And here he would beg to suggest, that at the present moment the body of the Roman Catholic prelates stand in a totally different position, in relation to the Government, from what they occupied some time ago. Being now, to a certain degree, acknowledged by the Government, and being in communication with the Lord Lieutenant, and being kindly treated by him, he thought the Lord Lieutenant would be authorised to call upon them to assist in bringing to justice the priests who had so abused the powers vested in them. So much for the past. As to the future, he should like to inquire how one part of the present Bill would operate. The 16th Clause provided that every person between the ages of sixteen and sixty should, upon being called upon, do his utmost to discover and apprehend the perpetrator or perpetrators of these outrages; and in case of his not giving assistance to the utmost of his power and ability, he should be guilty of misdemeanor, and punished accordingly. Now, it seemed that these assassinations were frequently expected, and generally very well known when about to take place in districts in which they were planned, if not in the districts in which they were subsequently perpetrated. Many persons were acquainted with the probability of the occurrences before they took place. One letter had been alluded to as having been received by a person who was marked as a victim. It was not a threatening but a warning letter, in which the writer said, "You are going to be shot," and spoke of the intended assassination as a notorious and common topic of conversation in the neighbourhood; so that it appeared these murders were not kept secret from the great mass of the people. Under these circumstances, he (Lord Beaumont) was morally convinced that not only before the deed, or if not before, certainly after the deed had been committed, the priest must know the whereabouts of the parties who were most prominently concerned in its perpetration. He wished, therefore, to know whether the magistrates

had power or could call upon the priest to assist in bringing the offenders to justice? Were the priests to be called upon and bound under penalty to discover the offenders? He wished to know, was it so? For, if it were not, he thought it would be very difficult for the law to be enforced with proper effect. He did not allude to the knowledge obtained in confession, but to the knowledge acquired in their general intercourse with the people. He regretted to say that in some papers, which he supposed to be the organs of the priests, it was said that the people would not and ought not to obey the Act—that they ought not to become informers, or assist under all circumstances to apprehend the parties to an outrage; so that unless the priests were made amenable, this clause would be very inoperative. The noble Lord on the cross-benches had instituted a comparison between the present Act and the Arms Bill of a former Session; but he (Lord Beaumont) thought there was a great improvement, in the absence of that portion of the former Bill which compelled the people to come and get their arms marked in open court, before the bench of magistrates. But he did not intend to enter into the details of the Act. He thought it far too weak to meet the circumstances of the case. But as the Lord Lieutenant of Ireland seemed to think it would be sufficient, he (Lord Beaumont) would support it, without attempting to make any alteration in it.

Lord STANLEY was glad he had given way to the noble Lord who had just sat down, in whose observations he entirely concurred, and thought they did him great honour. They had come, too, with more force from that noble Lord, than they would have come from him. The noble Lord (Lord Farnham) who had previously spoken, had introduced his remarks with his usual good feeling, and, far from attributing to the whole body of the Roman Catholic clergy the atrocious conduct of some of their body, he had restricted his remarks to the conduct of individuals. But he (Lord Stanley) fully concurred in opinion with the noble Lord who had just sat down (Lord Beaumont), that, considering the intimate connexion which subsisted between the highest and the lowest ranks of the Catholic clergy, so long as such conduct as had been exhibited and commented upon remained unrebuked, uncensured, and uncondemned by the heads of that body, so long the opinions of the reflecting people of this country and of the whole world would be that there was a stain of moral culpability resting upon them, and that they were guilty of the neglect of an imperative duty who had the power of censuring and condemning. With these observations he would pass from that part of the subject. It would be necessary for him, before going into the merits of the Bill itself, to advert to a question which had been, he thought, unnecessarily introduced into the debate. He meant the allusion to the apparent inconsistency of those Members of that or the other House of Parliament who gave their assent to the present Bill, but refused it to the Act introduced by the Government in 1846. Without discussing the merits of the former Bill, or the propriety of the course then pursued—without stating whether it were or were not an error of judgment—the noble Lord would permit him to point out to him the difference between the circumstances of the two cases. On the present occasion the Parliament was called together in the month of November, for the purpose of providing a remedy for the disturbed state of Ireland; and they did not separate and they entered upon no subordinate business until the Government measure for the protection of life and property, for the application of an immediate remedy to meet the demands of a pressing and extraordinary emergency, had been considered. He begged to be allowed to contrast that state of things with the course which had been adopted in 1846. He (Lord Stanley) and many Members of the other House with him, thought that the Government of that day were not desirous of passing the measure which they then introduced. The present Parliament had been summoned to meet in November. They were about to separate in December, after having disposed of the measure laid before them. In 1846 it had been said, in the Speech from the Throne, that—

> "I have observed with deep regret the very frequent instances in which the crime of deliberate assassination has been of late committed in Ireland. It will be your duty to consider whether any measures can be devised calculated to give increased protection to life, and to bring to justice the perpetrators of so dreadful a crime."

So that in the voice proceeding from the Throne in 1846, it was recommended that the immediate attention of Parliament should be directed to a state of things which the noble Earl told them was not less alarming than the present. But was

it made the business of the Session? Had all other business been abstained from? In February the recommendation from the Throne had been acted upon, and a measure was passed, after considerable deliberation, through that House. On the 13th of March it was sent down to the other House of Parliament. But that was the time when the question of free trade was occupying entire attention, and when the Government was intending to make a permanent alteration in the laws regulating the introduction of foreign corn. He (Lord Stanley) thought with others that the introduction of corn was a question of less pressing emergency than the protection of human life; and yet the measure which had been recommended in the Queen's Speech, and which was sent down to the other House on the 13th of March, was appointed to be read a second time on the 10th of August. [Earl Grey here made a remark.] He begged pardon. He was mistaking the measure for the Arms (Ireland) Bill. But it was not until June —until the Corn Bill had come for discussion to their Lordships' House—that the Bill was discussed in the House of Commons. The noble Earl would have done well had he adopted the tone used by a right hon. Baronet in another place, who had said that they should not act in the spirit of recrimination upon the past, but should adopt such measures as the present circumstances required. He (Lord Stanley) concurred with the noble Earl opposite in thinking that the Bill should pass without delay, and that it was for Her Majesty's Government to be satisfied as to its sufficiency or insufficiency. But he could not nevertheless give a silent vote upon it, nor avoid stating his opinion that he would be astonished if it were found sufficient; because he thought the Bill was insufficient, and not at all calculated to cope with the principal part of the evil. They had been told by the noble Marquess of the perpetration of the most appalling murders; that there was a regularly organised conspiracy through various parts of Ireland — a conspiracy for the destruction of life and property, and for the destruction of humble industry. His noble Friend who had spoken from his (Lord Stanley's) side of the House, had told them of assassination committees meeting in various districts of Ireland, and, in terms that might well excite their astonishment, they were told that money was subscribed for the murder of inoffensive parties in that country. They had a universal combination for the commission of murders—murders of individuals of the highest character —and those murders celebrated by bonfires throughout the land. So universal was the knowledge throughout the country that these murders were about to be committed, that in a distant market town the announcement of the actual commission of a crime preceded by three hours the time of its actual perpetration. Now, the question before their Lordships was, would the measure of Her Majesty's Government put an end to this dreadful state of matters? The first provision in the Bill was that on which the Government mainly relied, and which gave to the Lord Lieutenant powers on proclamation to prohibit, within a forbidden district, the possession of arms, except in dwelling-houses; and next, by a second proclamation, to prohibit arms to all, except some specified persons. Now, supposing they succeeded within a given district in calling in all the arms that at present were in the hands of the peasantry. Did they believe that by the mere withdrawal of the firearms they would be successful in putting down either the crime itself, or still more the excitement to crime, in the organised conspiracy from which it proceeded? They would no doubt cripple the hand that executed, but they would not reach the heads that plotted, or the conspiracy that provided the assassin—the agency that issued the commands, or the tools ever ready to see those commands obeyed. They might to a certain extent diminish the danger; but was it firearms only that were the deadly weapons of murder? Every ditch and every road afforded ready materials for murder. One of the most frightful cases of murder he had ever heard of was one in which a stone was so deeply indented in the skull of the victim that the medical man found it impossible to remove it. Such were the kinds of crime which this Bill did not attempt to prevent. Though he did not lay much stress on the benefit to be derived from the specific system of passports in Ireland, he must say, it was notorious that the majority of crimes were committed, not by persons residing on the spot, but by strangers brought from a distance under a solemn vow to murder any individual that might be pointed out to them on receiving the reward of a few paltry shillings. Though, however, he did not rely very strongly on the passport system, he thought it might usefully prevent

the influx of strangers into the disturbed districts; and it would no doubt be of infinite importance if strangers coming into the proclaimed districts were to be apprehended by the authorities. He found, however, no such provision in the Bill before the House. With respect to the provision, that after the first proclamation of the Lord Lieutenant, with certain exceptions, no person was to carry or have in the district arms "elsewhere than in his or her own dwelling-house," he really wished to know whether the intention of these words was to limit the possession of arms to persons being householders? Did they enable lodgers to have arms, or only those who had houses to defend? Then there was a provision that the Lord Lieutenant might issue a second proclamation, requiring every person, with certain exceptions, not only not to carry arms out of his house, but to surrender the arms altogether; and there was a power given to the Lord Lieutenant to direct search warrants for the seizure of concealed arms. This power was limited to a time subsequent to the issue of the second proclamation—

"That from and after the day named in any such last mentioned notice, it shall be lawful for the Lord Lieutenant, &c., to direct search in any county, &c., named in any such last mentioned notice, at any time while such first mentioned proclamation shall be in force, &c."

He could not comprehend this; and he thought there would be a difficulty in carrying out the intentions of the Act. There was a provision in the Bill, which he rejoiced to see, by which power was given to justices and constables to call upon persons within proclaimed districts to join in the pursuit and apprehension of offenders; and any person refusing or neglecting to join in such pursuit would be guilty of a misdemeanor, and be liable to imprisonment for two years. He (Lord Stanley) apprehended that magistrates might call upon any person to assist in executing the law at present under the common law of England, and that a refusal or neglect would be an offence against the law. As far as he could understand, the object of the Bill was to alter the existing law by affixing to the offence the penalty of two years' imprisonment with hard labour. He could not conceal from himself that there was a very general feeling prevailing in Ireland not to join in the pursuit of offenders, or to aid the law; and he had heard that, for the purpose of furthering the escape of offenders, a whole population would appear to join in the pursuit, and by running mix themselves with them, and thereby balk the police, who were unable to identify and apprehend the offenders. This provision, therefore, would be ineffectual unless there was an inclination to join in the pursuit, and then it would be unnecessary. There was another provision which was not in the original Bill, and had not been proposed by Her Majesty's Government, but had been introduced in the other House by an independent Member. He meant the penalty imposed upon accessaries after the fact. He wished to be informed what it was that constituted accessaries after the fact. Suppose a warrant were issued against an individual sworn to have committed a murder; the person against whom the warrant was taken out would immediately become an object of general sympathy; nine cabins out of ten in the county would assist him; he would be concealed and harboured and supported. Suppose that this party kept out of the way, or suppose he were taken and brought to trial, but notwithstanding a moral conviction of his guilt, from a deficiency of evidence, or any other cause, he escaped; he (Lord Stanley wished to know whether, under the operation of this clause, or of the law, any penalty would attach to the persons who might have harboured or concealed him? whether, if a person, known to have committed a murder, was brought to trial and acquitted, any penalty would attach to those who had harboured or concealed him, because they were not accessaries after the fact, not having harboured a murderer? Knowing the extent of sympathy which prevailed in Ireland towards persons guilty of the most heinous crimes, he thought it right to call the attention of Her Majesty's Government to this point. His great objection to this Bill was, that it fell short altogether of the evil; it was directed to a very small part of it; it was intended to mitigate the symptoms of the disease, not to eradicate the disease itself. After arms had been taken from the murderers, the organisers and contrivers of the murders would remain untouched, whilst stones, and hammers, and blocks of wood, would do the work of pistols and guns; the monster evil of Ireland would still remain to be grappled with. The noble Marquess had expressed a confidence in the good feeling of the people of Ireland in the cause of justice; and he (Lord Stanley) knew there

were districts in Ireland where justice was administered and juries performed their duty. The noble Marquess had said that there were districts in Cork in which convictions were obtained "whenever prosecutors made their appearance." But prosecutors were often afraid to appear. The Bill provided no antidote against such great evils as the noble Marquess had referred to; for he had admitted that whole districts and counties, and provinces almost, in Ireland, were scenes of crimes of the deepest dye; money was collected for the payment of headmoney to murderers; the names of the assassinating committee were known, and the actual murderers were known, and the subject of the murder was discussed at markets, and in the field, and at the fireside, and by labourers on public works; and not only when the person to be shot was known, but why he was shot. What must be the state of society in a country where murders were committed, and ninety-nine out of one hundred persons knew beforehand that the crime was to be committed—when and why—and no individual would join in the pursuit of the murderer, and no witness would give testimony against him in a court of justice? He had hoped that a Bill would be introduced which would grapple with these evils and with the disease itself; for until the disease itself was eradicated there could be no hope for the safety of life in Ireland, and for the protection of the industrious and humble classes in that country. A reign of terror now prevailed over whole districts, and he rejoiced to hear that Her Majesty's Government were prepared to take stronger measures if necessary, although the noble Earl at the head of the Government was satisfied with this Bill. If the anticipation of the Government should not be fulfilled; if the Bill should fail in its object; or if the noble Earl should find other measures necessary, he was convinced that this and the other House of Parliament would give the same unanimous and cordial support to a stronger measure which they had given to this, he believed, very inadequate measure.

Earl GREY observed, that the noble Lord who had just resumed his seat, had very truly remarked, that the measure had been most cordially received on both sides of their Lordships' House; but that he (Lord Stanley) did not think it sufficient for the purposes intended. After describing, in very powerful language, the present frightful state of society in Ireland, the noble Lord proceeded to state, that the Government measure did not attempt to touch the head of the offence—that it sought to allay the symptoms, but that it contained nothing calculated to eradicate the disease. The root of the disease, in the noble Lord's opinion, existed in the minds of the people—in their determination not to support the law, but, on the contrary, to show sympathy with the offender. He (Earl Grey) grieved to say that he could not differ with the noble Lord—the observation was perfectly true. Two years since he pressed that point on the attention of their Lordships—he then said, that the disease was too deeply rooted to be cured by mere measures of coercion. Until the disposition of the population was altered, and the people were made friendly to the law, no effectual cure could be applied to the present deplorable state of society. But no Act of Parliament could alter the minds of men. By legislation no new mind, no new heart, could be placed in the breasts of men capable of working the dark deeds their Lordships had heard so feelingly and painfully detailed during the present discussion. The Bill did not profess to cure the evil in the minds of men; it addressed itself to the outward manifestation of that evil, by the speedy and effectual punishment of offences. That was the purpose of the Bill. But to alter the mind of the population, to win back the people, to make them mend their course, and to obtain their assistance in aid of the law, could only be a work of time. In this great work Her Majesty's Government hoped and believed that the present measure would powerfully contribute, by increasing the powers of the Executive, and thus making the means of arresting and prosecuting offenders comparatively easy, by encouraging the sound part of the population to support the law, and grapple with the evil of intimidation, He trusted that there was still a large portion of the population of Ireland that might be considered sound; but unfortunately that sound part was under the influence of intimidation. By strengthening the hands of Government, their Lordships would encourage the peaceable and well-affected to come forward in aid of the law. By obtaining the restoration of order, the Government would make those who were now criminals or connivers at crime see that it would be to their own interest to abandon their present course of conduct, and to lend their aid for the preservation of peace and

order. He considered that the Bill now before the House would tend to produce such an effect. The Bill must undoubtedly be regarded as a measure for repressing the outward manifestation of the wicked spirit to which he had referred, and not for correcting it. Upon one subject he entirely agreed with the noble Earl (Earl Fitzwilliam), who had addressed their Lordships in the course of the discussion. He thought it would be highly injurious to have mixed up with this measure one for improving the general and social condition of Ireland. The first essential to improvement was security to life and property. The noble Marquess who moved the committal of the Bill had very clearly pointed out how the present disorganised state of society in Ireland prevented improvement—how it prevented investment of capital in that country. In moral and social improvement the first step must be to restore order. If Her Majesty's Ministers had introduced the Bill with the limited object of repressing crime, rather than to take away the disposition for crime, he would allow that the measure was open to great objection—many seeming omissions might very reasonably have been complained of. But their Lordships would allow him to point out the moral effect of the measure. He thought that a mild measure, passed with all but the unanimous support of both Houses—many Members in both Houses declaring their willingness to support a still stronger measure—was likely to have a much greater moral effect than a sweeping Bill passed after a long and vehement struggle, and the opposition to which had been raised, not only by persons whose numbers and mode of proceeding deprived them of all weight and influence, but by men honestly convinced that the powers asked for were excessive. It appeared to him that the noble Lord (Lord Stanley) seemed to underrate the extent of the powers given by the Act. The noble Lord found fault with the necessity for two proclamations, believing that it would enable evil-disposed parties to remove their arms to the neighbouring districts. The noble Lord seemed to have overlooked the fact that the moment a district was proclaimed, no person was allowed to carry arms at all. That was the effect of the first proclamation. The second proclamation authorised a search for arms. The Bill gave the Lord Lieutenant power to extend this first proclamation to other and more extensive districts than those placed under the more rigorous part of the Act; and the Lord Lieutenant would doubtless exercise that power. The power to carry arms would be extremely restricted. This would have a direct and powerful effect in checking the commission of offences. Under the present law the police might hear the sound of firearms in the distance; when they arrived at the spot from whence the sound proceeded, they had no power to interfere; the men brandished their arms in defiance, and it was found impossible for the police to do their duty. When the permission to bear arms ceased, the police might hear the shot, which would be then less frequent; and if they, on proceeding to the place, found a number of people lurking about, those people might be at once stopped and searched. And while the carrying of arms would be thus restricted in the comparatively peaceable counties, in those districts where disturbances were frequent the Lord Lieutenant could require that all arms be delivered up by a certain day. It would be absolutely unjust to make it illegal to possess arms until the parties had an opportunity of getting rid of them. It would be unjust to make the possession of arms a misdemeanor, and to proceed to punish the holders without first giving the parties notice. Then the noble Lord complained that the Act empowered the Lord Lieutenant to issue his warrant to search for arms in no place except the dwelling-house. Such power was not required. The police, under ordinary powers, could search in gardens, yards, bogs, or any such places. There was no power taken under the Act, because such a power was absolutely needless. The only purpose for which a warrant was required was in cases when the police wanted to force their way into dwelling-houses and search for arms, after the possession of arms had been declared illegal. Then the noble Lord asked, whether it would be illegal for lodgers to possess arms. He (Earl Grey) would not give a decided opinion on that head; but he thought it of little consequence. The real object of that part of the Act of Parliament was to prevent the practice of carrying arms. Her Majesty's Government also relied much upon that portion of the Bill which empowered the Lord Lieutenant to increase the number of police. What would be more likely to restore order than the saddling a district with an expensive police force? The police might be increased to any extent in the disturbed districts. If 100 were re-

quired, the Lord Lieutenant could order them; for 200, 300, any number, he had the same authority; and the district would be at once saddled with the expense. The very moment the police force were quartered, the consequences of crime would be made apparent to every owner and occupier of land, and that would include the greater portion of the population; the consequences would be immediately brought home to him in the shape of a police levy. It was admitted on all hands that the connivance of the people was the great source of crime. If, after the passing of this Bill, they did so connive, they would be the principal sufferers. It had been remarked by one noble Lord that the licensing clause was a vicious change from the former Arms Bill. Formerly the license to possess arms was granted at the quarter-sessions; under the Bill that power would be vested in a person appointed by the Lord Lieutenant. Under the Bill disarmament in the disturbed districts would be the general rule —the licenses would form the exception. A very few persons, such as relieving officers, and others, entrusted with the receipt and payment of money, would be allowed to carry arms. Such being the case, it was thought advisable to place the power in the hands of some person appointed by the Lord Lieutenant. That person would either be the county inspector or one of the higher officers of the constabulary. With regard to another point raised by the noble Lord (Lord Stanley)—the effect of the Bill on accessaries after the fact—he believed that accessaries after the fact would be placed on the same footing as accessaries before the fact are now placed by the law of the land. Formerly an accessary could not be punished before the conviction of the principal. A few years ago, an Act passed providing for the punishment of the accessary, even though the principal may have escaped. The noble Lord had asked this question in reference to the case of a man suspected of murder being concealed by a friend. The acquittal of this man would not be a bar to the conviction of the man who concealed him; that is, it would not be a necessary bar to his conviction. It would, however, be necessary to prove the actual commission of the murder, although the murderer might be acquitted, before the accessary after the fact could be convicted. With all his (Earl Grey's) anxiety to make this measure effectual for the suppression of crime, he was persuaded that instead of accomplishing that object they would defeat it if they went too far, and run the risk of committing a substantial injustice. He would not allow the mere technicalities of the law, or mere precautions, to stand in the way of doing that which he believed to be really necessary for the punishment of crime in Ireland; but he would entreat their Lordships not to urge the adoption of any measure which was capable of working substantial injustice. Upon the subject of juries, which had been referred to by the noble Lord opposite (Lord Stanley), he (Earl Grey) did not know how he could add anything to what had been already said by his noble Friend the President of the Council, for he had told them that all the latest reports which they had received from Ireland, from those who were responsible in that country for the administration of criminal justice, established the fact that on the whole juries did their duty very well. Of course it was impossible to foresee what might happen hereafter; but he owned that he felt confidence that when juries were further encouraged by the protection which would be conferred on the well-disposed by the passing of this measure, they would act even with more boldness than they did at present. He therefore hoped and believed that they should not be driven to adopt any measure to provide for juries not doing their duty; but if a case for the passing of such a law should be hereafter made to them, they would not be slow to apply to Parliament for a remedy. With regard to what had been said with reference to the necessity of affording due protection to witnesses, he assured the House that no measure which it was possible for Her Majesty's Government to take for the protection of witnesses would be neglected. He thought that under the operation of this Act, the intimidation which prevailed would be greatly diminished; and he was utterly at a loss to suggest any measure, or far less to guess at what description of measure his noble Friend alluded to when he told them there was no adequate provision contained in the Bill to meet any difficulty which might arise with respect to witnesses. There were only two other points to which he thought it necessary to advert. In the first place, it had been asked, if under that clause by which all persons can be called upon to give assistance in the apprehension of offenders, priests can be called upon to give information as to offenders. Undoubtedly he (Earl Grey) thought it was impossible to put such a

construction upon it. It was impossible, he thought, that under such a clause as that, the priests could be asked to give information which they derived in the discharge of their religious functions. In the next place, reference had been made by the noble Lord opposite as to the course which should be adopted in reference to strangers found in proclaimed districts, and it was suggested that such persons should be obliged to carry passports, or be subjected to arrest. Now, with respect to passports, he (Earl Grey) was not prepared to approve of that suggestion. He had recently learned that passports were completely abandoned in Belgium, and it was thought the abandonment of them would be general. On the other hand, if the power were given of arbitrary arrest, it seemed to him that its exercise might be subject to great abuse. He (Earl Grey) was not aware that there were any more of the details of this measure to which it was necessary for him to refer. He would only make this remark, that while many noble Lords had stated that they conceived it would be insufficient, he had not heard any suggestion that seemed to him to be practicable as to the mode in which it could be improved. It was to be regarded as a mere repressive measure, and as such he did not see what more they could do. It was true that a clause had been introduced in other former measures of a similar nature, which was not contained in this Bill. There was the clause which prohibited persons from being out between sunset and sunrise, and which was commonly called the curfew clause. He (Earl Grey) could only express the same opinion he had expressed in 1846 with reference to such a clause. He considered that that clause was liable to abuse, and would be ineffectual for its purpose. It should be recollected that those dreadful crimes were committed in the open day and not by night, and he believed that that clause would be really of no avail for repressing those crimes. On the other hand it would interfere with the ordinary industry and occupations of the people—it would prevent men from going to market and to work at certain hours, and would enforce a degree of restraint that practically it would be impossible to keep up; and of all things they could do in Ireland, the most mischievous would be to make regulations which generally they could not practically enforce. There was one lesson which it was most important to teach the Irish people, and it was this—that the law must be obeyed. They should make it known generally and universally that any instance of the infraction of the law must be punished. There was no one clause in this Bill which they could not enforce, and they made nothing an offence by it which they could not really and practically punish. After all the discussion that had taken place, he still remained of opinion that it was not in the power of Her Majesty's Government to propose a measure more calculated to effect the great object which they all had in view; and he most earnestly hoped that this measure would accomplish that object.

Lord BROUGHAM thought it of great moment that whatever Act passed should go out to the people of Ireland—to the criminals and to the whole community—sanctioned by as great a concurrence of authority and feeling in this country as possible; and therefore, however feeble might be his expectations of the efficacy of the present Bill, he yet listened to the argument of those who set off, as it were, against the insufficiency of the measure, the advantage to be derived from a more general concurrence of opinion. He differed from the noble Lord who spoke second in the debate, and with his usual ability and moderation, and who seemed to lament that no prosecution had been instituted against certain great criminals, who, abusing their sacred office, had, by denunciations against individuals, incited others to crimes. No man could hear the bare statement of such an offence without feeling the greatest indignation; and no man breathing could doubt that, far from sheltering such criminals, the sacred place where the offence was committed constituted a grievous aggravation of their guilt. No one could help feeling grieved that they should not have been brought to punishment; but when he was asked to blame the Government for not having put them on their trial, another question arose. That question was, not whether the conviction of those criminals would have its evil effect—not whether it would tend to make martyrs of the offenders—not whether their punishment would have a tendency to unite on the same side with them all the rest of the body to which they belonged, and of which they were the foul and perpetual disgrace—not whether it would tend to mitigate the sentiments of the Catholic lay population of the country, who at present were filled with just indignation, with natural

horror at the offences of those priests, and even make them take part with these pastors—all these considerations he was bound to disregard, for the law must take its course whatever might be the effect of the penalties which it inflicted. But there was another question which he was bound to ask before he required the prosecution of these offenders; and that was, what evidence could be got against them? how could that evidence be collected? and what way were they to succeed better in this case against the priests than they had often done against laymen? And supposing they obtained evidence on oath that at such an altar and on such a day a denunciation was uttered, would none of the flock of the priest come forward to give evidence on the other side? and in this conflict of evidence, would there be no difficulty in getting a jury to declare that the words charged in the indictment as uttered by the priest had been so uttered, and thus to convict him? It was not enough to have the Government shorthand writer present, though that implied a previous knowledge of the time and place; but after he had taken down the words, you must be sure that some of the priest's flock would not give a contrary testimony, and that in the conflict a jury, partly Romanist, would not acquit. Let their Lordships consider what was the influence of a Roman Catholic priest over his flock, especially in a country circumstanced as Ireland, and they would agree with him in thinking that the Government might pause and hesitate before they commenced such a prosecution. Therefore, he must be more certain of the conviction of these offenders before he could join in any complaint, on the ground of their not yet being put on their trial. Let it not be supposed that he intended to bring a general charge against the whole of the Roman Catholic clergy. Were he to do so, he should be guilty not only of the greatest want of charity, but of the grossest ignorance of the state of Ireland as regarded the pastors of the people. He believed, generally speaking, these priests to be men of respectable lives and characters, and that their conduct generally, was an honour to the cloth they wore. But he was bound to add that this opinion, like that of his noble Friend (Lord Beaumont) was conditional, and that it would undergo, if not a change, a very essential modification, if he found that in reference to those murderous addresses from the altar—those cruel denunciations—no steps should be taken to visit—he would not say with condign punishment—but at least with suspension, the guilty parties who had outraged the common feelings of our nature, disgraced their profession, and foully stained the cloth they wore. If he found nothing done, and that those guilty priests continued in the same functions, he should be compelled, however reluctantly, to say that the stain which might have been kept confined to the individuals, extended itself much more largely, and affected the body itself. The influence of these priests, however, was not the only peculiarity of Ireland, to which these crimes could be traced. Indeed, another consideration, which lay at the root of the whole question, was the tenure of land. It became a question of peculiar difficulty and importance in a country where the possession of land was an absolute necessity of existence. Land being indispensable to subsistence, presented a condition of society wholly unexampled. The poor of Ireland naturally felt when land was taken from them, as if the bread were taken out of their mouths—they were like persons shipwrecked, who cared not how many lives they sacrificed to save their own. Indeed, that influence, though greater there, was not unknown elsewhere. But did he suppose that the required change in the national character could be effected by an Act of Parliament? Quite the contrary—time must be given—the circumstances of society must be altered—the old, bad, and hurtful feelings must be set aside. As long as those feelings existed, and as long as the priestly influence, also in excess owing to what he should presently state, continued to prevail, they could be at no loss for the means of solving the problem which the present state of Ireland offered. Six years ago—aye, fourteen years ago, it had been proved that a conspiracy similar to that at present in active operation did exist in Ireland—it was shown on those occasions, as now, that a central body was constituted with outbranches—that committees were sitting in different places—that the appearance of trials was carried on—that sentences were passed, and those sentences executed, and murderers sent for from a distance to execute them. All this was well known years and years ago. That such a condition of society was connected with priestly influence no man could doubt; that some of the Romish priests used their influence for evil purposes was a truth of which he was entirely persuaded. In this discussion two topics pressed themselves

prominently upon consideration—they were confession and absolution; and he purposely kept them apart, as he complained of each, separately and independently of the other. Upon those subjects he was about to express such Protestant sentiments as he presumed might not be acceptable to his noble Friend opposite. But the more he considered the subject the more firmly persuaded did he feel that the mere secrecy of the confessional had a tendency most hurtful to morals, and practically leading to crimes by lessening the horrors with which guilt was regarded by the criminal. Who that knew the power of conscience could doubt that the greatest imaginable relief was experienced from the acknowledgment of crime? Every one knew that a real solace was derived from pouring into any ear the detail of offences; but how much more complete and comforting was that confession when made to one whom the party had from his earliest youth been taught not only to love and respect, but even to revere! How great the relief to a burdened conscience when the history of guilt that oppressed it was poured into the ear of one by whom it would never be divulged! This was peculiar to the Romish faith—it was unknown to any other religious system; and the duties of the confessional were performed by the priest, not only as the servant of God, but as one believed to have the power of placing the penitent in the awful presence of the Deity. But if such was the effect of mere confession coupled with the priestly office, how much greater was that of absolution! For all this, he never once entertained any such fantastic notion as that legislative measures could put down the practice of confession and absolution. He never for one moment entertained a notion of the kind. But this he never doubted, that confession and absolution gave great effect to the purposes of unworthy men; and one restraint might well be laid upon this exercise of the priestly office. It might be precluded from persons convicted of heinous offences, and especially from those condemned to expiate their crimes with their lives. The Emperor Napoleon entertained strong opinions upon this point, and took strong measures with reference to it. The Emperor, with his wonted vigour, took this course, and that notwithstanding the value he set on the religious influence derived from the concordat, and the court he even paid to the Church. He restrained the power of the priesthood in matters both civil and criminal. In civil matters they could receive no legacy from any members of their flocks; neither legacies nor death-bed gifts. In matters criminal, Napoleon, as he always did, went at once to his purpose, and applied an effectual remedy—no prison door was opened to the priest, no confessions, no absolutions, no access for the priest, none of what were called the consolations of religion between the committal of the prisoner and his trial, none even when sentence was passed—not even between sentence and execution. The like course was taken, and with perfect success by a well-known Governor of our own at Malta. But beside the religious, we were to consider the financial relations subsisting between the Irish priest and his flock: this matter was very serious. Some time ago when a Committee of that House was engaged with inquiring into the subject of Roman Catholic marriages, it was suggested to Romish prelates and priests examined, that their marriages might take place in church; and it was asked, did there exist any objection to that? The answer was, that they would by no means have marriages solemnised in the churches. In vain it was said that that practice would be the more respectful mode—more respectful to the clergy and to religion. It was replied, that the clergy did not wish it. Next it was proposed that marriages should take place in the morning; to that likewise an objection was raised, they must not be in the morning, there was always a merry-making; well, but the merry-making might be held in the evening, and the marriage in the morning. No, it must be all one operation. At last it was found out that the company being assembled, a collection for the priest was set on foot; that this collection was made during the hours of conviviality; and it behoved them that the conviviality should proceed to a certain limited extent before the hat went round. By such means as these the priests were paid; and at present it was the only way in which they could be paid. He (Lord Brougham) had preferred giving this instance of the mode of payment to any general description, because it brought the matter home to every one's mind. But he presumed that every one of their Lordships would agree with him when he said, that it was a mode of payment most unworthy, unseemly, and indecent. So long as it existed they would have complaints about the state of Ireland. As to the payment

of the Roman Catholic clergy by the State, he knew that to that there were grave objections, and he felt that till some such proposition continued to be for years constantly repeated—until it became familiar to the minds of Englishmen, the prejudices—the deep-rooted prejudices against it could not be overcome; yet until such prejudices yielded to the voice of reason, and the dictates of experience, no hope existed of the priestly influence being checked, and of the popular control over the priest also ceasing; for the present system produced both those evils —the priest had more power, and he was also forced to become a party in the violent proceedings of his flock. He (Lord Brougham) was also of opinion that the best effects would be produced by an unrestricted intercourse between our Government and the Roman See, and if the laws which interdicted it were repealed; he, of course, did not limit his observation to our intercourse with the Pontiff in his temporal capacity—an intercourse to be carried on upon behalf of 6,000,000 of our fellow-subjects in Ireland ought to subsist for the purposes of their hierarchy, exclusively, of course, of interference with our temporal concerns, as actually was the case in Prussia—a country as Protestant as England herself. As to the punishments of crimes recently committed, the criminals were well known, but they could not be arrested without sworn informations. If what was called the suspension of the Habeas Corpus Act were agreed too, he was quite ready to admit that such a proceeding would not be constitutional — it would, while it lasted, be an abrogation of the constitution; but they must not talk of the constitution when no man's life was safe for an hour—when there was a conspiracy extending over five or six counties, and murders were committed in the face of day and with the assent of the people. To talk of the constitution, and be afraid of suspending it in such a case, was senseless; it was contrary to the constitution of human nature to submit to such a state of things. It would be said that the two measures he recommended — namely, a power of imprisonment and service of papers, and a power of so trying offenders as to secure the conviction of the guilty—must of necessity be only temporary remedies. He admitted it; but the present inefficient measure was itself only temporary. He still conceived that it would have been on the whole better to take a more decided course; but the Government took on itself the responsibility of preferring the present plan; and as what had once been said of some men applied to the present measure, that it "very little means, but means that little well." As it was, though a small step, yet a step in the right direction, he was bound to rest satisfied with it for the present, and to hope, what he really could hardly expect, that it might render any further legislation unnecessary. As to remedial measures, he looked forward to them with even less expectation, for he felt all the difficulties that had been alluded to. He never saw any attempt at a tenant-right measure that did not clearly discommend itself by being contrary to every rule of equity and the true interests of the tenant as much as the apparent interest of the landlord.

On Question, *Resolved* in the *Affirmative*: House in Committee accordingly; Bill *reported*, without Amendment; and to be read 3ª *To-morrow*.

PUBLIC WORKS (IRELAND) BILL.

The Earl of DEVON moved the Second Reading of the Public Works (Ireland) Bill, and gave notice that to-morrow he would move the suspension of the Standing Orders for the purpose of its passing through the remaining stages.

Lord MONTEAGLE objected to Bills affecting a remote part of the country being brought up, as on the present occasion, under circumstances which made deliberation a farce. This Bill was only put into his hands this morning, and there could not be a Bill more important in its object.

Earl ST. GERMANS admitted that, as a general principle, it was inexpedient that Bills should be brought on in the House without giving noble Lords an opportunity of expressing their opinion; but he was surprised at the opposition of the noble Lord, considering the peculiar circumstances under which this Bill was brought on. He understood the object of the Bill to be simply this — that certain works were undertaken in Ireland under the pressure of the famine of last year; that in consequence of the failure of funds those works were left in an incomplete state—and that it was absolutely necessary, not only with a view to giving employment during the ensuing winter, but for the sake of the works themselves, that

they should be completed. No new principle had been introduced into the Bill, and delay would lead to a suspension of the works.

Lord MONTEAGLE said, that it was disgraceful to bring it forward without affording time for consideration. He should take on himself to show to-morrow the points on which the Bill was defective, but not with any view of impeding its progress.

Bill read 2ª and *committed* to Committee of the whole House *to-morrow;* and the Standing Orders Nos. 26 and 155 to be considered in order to be dispensed with.

House adjourned.

HOUSE OF COMMONS,

Thursday, December 16, 1847.

Minutes.] New Member Sworn.—For Weymouth, the Hon. Frederick William Child Villiers.

Public Bills.—1° Land Tax Commissioners' Names.

Petitions Presented. By Mr. Gladstone, from Robert Isaac Wilberforce, Clerk, Archdeacon of the East Riding, for Alteration of Law relating to Bishops. — By Mr. Bankes, from Parishioners of Long Bredy and Little Bredy, in the County of Dorset, for Increasing Efficiency (Church of England).—By several hon. Members, from an immense number of places, for and against the Removal of Jewish Disabilities.—From Thomas O'Connor, Chairman, and Francis Loodey, Secretary of the Davis Confederate Club, of London, for Abolition of Ministers' Money (Ireland).—By Mr. Plumptre, from Seend (Wilts), against Legalizing a Roman Ambassador.—By Viscount Morpeth, from Roman Catholic Clergymen and Laymen of Allerton Mauleverer, against the Roman Catholic Charitable Trusts Bill.—By Lord Courtenay, and other hon. Members, from various places, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland).—From Lambeth, for Inquiry into the Case of the Rajah of Sattara.—By Mr. R. Palmer, from various places for a Superannuation Fund for Poor Law Officers.—By Mr. Peto, from Norwich, for Repeal or Alteration of the Poor Removal Act.—By Mr. S. Crawford, from Parish of Kilballyowen, for Alteration of Law of Landlord and Tenant (Ireland).—By Mr. Neeld, from Cricklade, and Mr. Sotheron, from Parish of Statton Saint (Wilts), and Inhabitants of Swindon, respecting Turnpike Trusts.—By Mr. Mackinnon, from Inhabitants of Lymington (Hampshire), for the Adoption of a Treaty of Arbitration between the British Government and the other Governments of the world respectively, for putting a final period to the barbarous and unchristian practice of War.

DEFENCE OF THE COUNTRY.

Viscount INGESTRE said, that a statement had appeared in the papers to the effect, that the Duke of Wellington had written a letter stating that he had ineffectually urged upon three different Governments the necessity of paying a greater regard to our national defences; and he therefore, seeing the First Lord of the Treasury in his place, would ask, if he had received any communication from the Commander-in-Chief on the subject?

Lord JOHN RUSSELL: Soon after I entered office I received a letter from the Duke of Wellington upon the subject, and I have been frequently since that period in communication with him upon it.

BRAZIL.

Mr. THORNELY wished to ask the Secretary of State for Foreign Affairs whether any and what steps had been been taken since the arrival of the lately appointed English Minister at the Court of Rio de Janerio, for the negotiation of a new treaty of commerce between this country and the empire of Brazil; whether it be true, as had been publicly stated, that the Government of Brazil had refused to enter on any such negotiation until the Slave Trade Act were repealed, which gives to British ships of war the power of seizing, and to British courts of Vice-Admiralty the power of condemning (without the sanction and authority of any treaty with Brazil to that effect) Brazilian vessels engaged, or suspected to be engaged in the slave trade; and if so, whether Her Majesty's Government intend to adopt any and what measures for removing the objection which exists on the part of Brazil to the opening of negotiations for the renewal of our commercial relations with that empire?

Viscount PALMERSTON stated that Lord Howden had received instructions from the British Government on the subject of a new treaty with the Government of Brazil; but the commencement of the negotiation for such treaty had not yet been made. If the Government of Brazil consented to the establishment of a treaty for the suppression of the slave trade, similar to that which had been entered into by Portugal with the British Government, there was no objection to placing the Brazilian Government in the same position which was occupied by Portugal as regards this country.

Mr. BAILEY would ask the noble Lord the Secretary for Foreign Affairs if the Government of Brazil had observed the last treaty; and if he were of opinion that it would observe the articles of a new treaty in case such a treaty was ratified?

Viscount PALMERSTON said, that fact was one thing, and opinion was another; and the hon. Member was just as free to form an opinion as to the probable observance of a treaty by Brazil as he was. If, however, Brazil entered into the same

treaty with respect to the slave trade as Portugal had entered into with us, and allowed the same right of search to British cruisers, the British Government did not anticipate any difficulty as to the fulfilment of the treaty.

CHURCH RATES.

Colonel SALWEY wished to ask the Government whether it was their intention to introduce in the present Session of Parliament any measure for the relief of that portion of Her Majesty's subjects who conscientiously dissent from the rites and doctrines of the Established Church from payment of church rates?

Lord JOHN RUSSELL stated that the Government had formed no such intention.

MINISTERS' MONEY (IRELAND).

Mr. JOHN O'BRIEN was desirous to inquire of the right hon. the Secretary for Ireland if it be the intention of Her Majesty's Government to take into consideration the expediency of relieving certain towns and cities in Ireland from the payment of Ministers' Money, maintaining at the same time vested rights, and indemnifying the present incumbents.

Sir W. SOMERVILLE was not prepared to answer the question, which involved a subject that had been felt to be one of great difficulty by various Irish Governments.

DENUNCIATIONS FROM THE ALTAR (IRELAND).

Sir B. HALL, in calling the attention of the House to the denunciations from the altar alleged to have taken place in Ireland, adverted to the letter of the Rev. Mr. M'Dermott, the parish priest of Strokestown, which contained the following passage:—

"I have now to assure the public, by the most solemn assertions a clergyman can utter, that the late Major Mahon was never denounced, nor even his name mentioned, from any chapel altar in Strokestown, or within twenty miles of Strokestown, in any direction, on any Sunday before his death."

With respect to that passage in the letter, he (Sir B. Hall) could inform the House that he had received a letter on Wednesday from Dublin, in which it was stated to him that it was not on Sunday, but on Monday, that the late Major Mahon was denounced; and a letter appeared in the *Times* of that morning, signed "An Irish Peer," and which he believed was written by an Irish Peer, in which letter the following statement was contained:—

"The rev. priest is quite right as to the word 'Sunday;' the late Major Mahon was denounced from the altar on the 'Monday' previous to his assassination. That Monday was a saint's day, on which the Roman Catholic population attend mass as regularly as on the sabbath. This fact is well known in Dublin Castle."

Major Mahon was, as he was informed, denounced on Monday, and murdered on Tuesday; and he would ask the Secretary for Ireland if he was aware that any information had been received with respect to this subject from Dublin Castle, as to whether Major Mahon had been denounced on Sunday or Monday; and if so, was it the intention of the Government to institute any proceedings against the rev. gentleman?

Sir W. SOMERVILLE was not aware of what intelligence had been received by the Lord Lieutenant of Ireland; and not being in a position to answer the first question of the hon. Baronet, he was not, of course, prepared to answer the second.

Mr. J. O'CONNELL said, that as a portion of the letter of the Rev. Mr. M'Dermott had been read, it would have been but fair to have read the whole of the document, in which the rev. gentleman distinctly and clearly denied that any denunciation of Major Mahon had taken place in any chapel within twenty miles of Strokestown on any day whatsoever, for an attempt had been made to raise a quibble on the word "Sunday."

DISABILITIES OF THE JEWS.

Lord JOHN RUSSELL rose and said: Sir, as I understand that my hon. Friend the Member for Oxford means to oppose the resolution that this House resolve itself into a Committee of the whole House to consider the propriety of the removal of the disabilities now affecting a large portion of the inhabitants of this country, I feel myself compelled, before making that Motion, to state to the House the general grounds on which I propose the adoption of such a measure. I understand from my hon. Friend that if a majority of the House should agree to go into Committee, he does not mean to extend his opposition to negative the resolution which it will be necessary to adopt before I can introduce any measure upon the subject. That being the case, it will be as convenient to take the discussion at the present moment as to reserve it for the next stage, which is the more usual course, and which has been fol-

lowed upon a former occasion. In bringing forward this subject, I feel that I cannot avail myself of many of those topics which those who have proposed the removal of disabilities on account of religious opinions have been enabled to appeal to for the purpose of inducing the House to agree to their proposition. I cannot, as when I proposed the repeal of the Test and Corporation Acts, state to the House that there are some three millions of our fellow-subjects affected by it; men actively engaged in the industry and trade of those cities and towns from the municipalities of which they are excluded; men of the highest moral characters; men unsurpassed in the discharge of their duties to the State and in their loyalty to the Crown. I cannot either, as a great man did who introduced the question of Catholic disabilities to the attention of Parliament, refer to the state and condition of a neighbouring country as a potent motive to induce the House to endeavour to remove that continued and well-founded cause of discontent among that large class of Her Majesty's subjects. I cannot, as he did, speak with indignation of a whole people kept in a state of degradation by those disabilities, and, like him, ask the House, as it values the peace and welfare of the country at large, to agree to this Motion. Sir, I feel this is a question which does not affect so large a portion of the population of this country, and the acceptance or rejection of which by this House does not involve such consequences. I am about, therefore, to address the House rather on the question of principle involved in it, than on the ground of political expediency—a question certainly involving the political and religious liabilities of a portion of our countrymen, but involving them, I admit, only as for about 40,000 individuals—involving the rights and liberties, political and religious, of a community not disposed, nor indeed able, if they were so disposed, to excite a clamour in the country in their behalf, to agitate the public mind in their favour, or to threaten the integrity of the empire with subversion if their demands are not complied with. But, Sir, feeling that I cannot use such a line of argument, I will, at the same time, take the liberty to advise this House that there may be a danger in refusing these demands, not affecting the welfare of the State, but the character of Parliament, involving as they do claims continually denied. It may be said, in such a case, that Parliament is unwilling to concede any claims, however just, until it is compelled—that Parliament has never practically adopted any just principles of equity for all classes of Her Majesty's subjects; that only when vast bodies of men, armed with wealth and the power of numbers threaten it, does Parliament yield to the just demands of these parties; but that when there is no opposition to its proceedings, when no danger menaces the country, and when no public inconvenience is likely to arise, Parliament adopts the principle of religious persecution, and proves that it was with unwillingness on its part that those large and liberal measures of civil and religious liberty formerly carried in the House, were on those occasions conceded. Such, Sir, I venture to say, will be the result—a result most injurious, I need not add, to the character of Parliament. There is, as I have said, no danger to be apprehended, one way or the other, from the rejection or acceptance of this measure which I now propose. One danger there was—a danger pointed out by my hon. Friend the Member for the University of Oxford, when a similar measure was brought forward in 1830. On that occasion my hon. Friend took upon himself the character of a prophet, and he told the House, "You may depend upon it that if you admit the Jews to civil offices in the State, you will get the affairs of this country into such confusion that you will have a reform in Parliament within seven years." But, Sir, without any admission of the Jews to civil offices in the State—without any precursor in the shape of confusion predicted by my hon. Friend—that dreaded event happened, and within two years Reform was adopted. That danger is, therefore, at an end. I now, Sir, proceed to state to the House that I place this question on the simple, and as I think, solid ground, that every Englishman, born in the country, is entitled to all the honours and advantages of the British constitution. I state further, that religious opinions of themselves ought not to be any disqualification or bar to the enjoyment of those advantages. I found my Motion upon the declaration that the laws of England are the birthright of the people of England. I found it on a declaration made in the House of Lords during the discussions on the Conformity Bill:—

"The Lords think that an Englishman cannot be reduced to a more unhappy condition than to be put by law under an incapacity of serving his prince and country; and therefore nothing but a

crime of the most detestable nature ought to put him under such a disability."

I say that unless something can be proved to disqualify the Jews, that they stand in the position of persons born in this country, bearing all the burdens imposed by its laws, ready to serve their prince or their country in any capacity in which their services may be required, and therefore entitled to all the privileges which their fellow-subjects enjoy. Sir, I state this with confidence, and I will not attempt to ask your favour, by urging their peculiar merits, which I might do; but I think that it is not a matter of favour to them, and unless some strong ground of disqualification can be proved, I consider that it is a matter of right. I will not say—I will not urge on their behalf—that even those who are the most decidedly opposed to the claim of the Jews, admit them to be persons of a peaceable and moral character. I will not urge that they are governed by the same moral laws which we ourselves have adopted for our own guidance. I will not point out that very many of them have been distinguished for great talent and intellectual capacity. I will not show that in those offices to which they have already been admitted, they have proved themselves efficient and capable as civic officers and as magistrates. I will not observe that in the pursuits of literature and science they have justified by their sagacity and their intelligence their equality for any office which Her Majesty's subjects may aspire to. I say I will not urge any of these topics upon your consideration, because by so doing I might appear to make this which I claim on their behalf a matter of favour on the part of the House; and that it might seem rather an indulgence—the concession of that claim on account of the peculiar merits of the Jewish subjects of Her Majesty, rather than a matter of right, when, as I say, being born in the country, being subject to and bearing their due proportion of all the burdens of the State, and being ready to submit to all its duties, they have a claim in justice and in right to all its honours. I come, then, at once, without urging any peculiar merits on the part of the Jewish subjects of Her Majesty, to consider those objections which are urged in bar of their admission to the rights which I claim for them at the hands of the House. It is said in the very front of these objections, that by proposing to admit the Jews to seats in the Legislature, we propose to unchristianise this country — to take away from the Legislature its Christian character, and to admit, consequently, not only Jews, but infidels of every kind, to the highest offices of the State. My hon. Friend seems to admit that I have fairly stated this objection. Now, Sir, far be it from me to say for a single moment that the religion of a man should be a thing apart from his public or private life. I wish to state my opinion to be otherwise. And I think that in all the affairs of private life—in the daily occupations of men, in the pursuits of the several trades and business which they exercise—religion has influence, and ought to have influence. I shall say still more, when speaking of the Legislature, which has to dispose of and control the various interests, ecclesiastical and secular, of the country, that religion ought to influence and control the decisions of its members. I do not put the question on the ground of civil employment being totally apart from religion; but what I do contend for is, that it is an entire mistake to suppose that the words of an Act of Parliament—to suppose that the postscript of an oath—to suppose that the fag end of a declaration, can ensure religious motives in legislators, or religious legislation in Parliament. By these declarations I maintain that you do not take that security which you pretend; on the contrary, you shut out by their agency men who are conscientious in their motives, and deserving in their conduct—men who would execute their duties honestly and truthfully, and exercise their functions as legislators with all due regard for the country, while you admit those who throw off the obligations of religion altogether, and who, though they make the declaration you require at their hands, do not consider themselves in any sense bound to discharge the duties it imposes on them. I say, Sir, as opposed to that doctrine, that it must depend upon the general opinion of the country—upon the state of things that prevails in that country—upon the various religions existing in it, whether or not you are to have a Christian Legislature. Now, let me take, in illustration of this proposition, cases drawn from two very different times. In the reign of James I. and Charles I. there existed a very strong religious feeling in this country. Men were divided into different sects; but nothing was more remarkable than the strong religious fervour which pervaded them all. Sometimes that fervour was in favour of one, sometimes in favour of another; but they were, one and

all, fervent believers. Suppose a legislative assembly composed from such men —Lord Falkland and Hollis Vane and others, all sincerely religious, but professing different forms of Christianity, would it be a test of greater security for that Legislature being a Christian Parliament, if those men came here and declared upon the faith of a Christian — would it have added to the security of Parliament, and have strengthened the belief in their Christianity, had they stated their faith at the end of a declaration? I take another period and another country —a period similar in some respects, not in others. Let us suppose, that towards the end of the last century, there were a Legislature in France, containing disciples of Voltaire, and of J. J. Rousseau, many of whom were found amongst the aristocracy, and amongst the democracy; and let us suppose, that Mirabeau, Condorcet, Robespierre, and men of that stamp, were also part of the assembly. Every one who knew the opinions of these men would say at once that that assembly was not bound by any obligation on the subject of religious opinions. Do you suppose that there would be any security if these men had declared they took the oath "on the faith of a Christian?" Would it be of the smallest advantage if they had done so? Would it have imposed on them any additional obligation? No, it would not. I will take another instance. It is said, that the Jews are revilers of Christianity — that they mock at the Christian religion—that they hold up its tenets to contempt; yet, Sir, I ask you, was there ever a man who sneered more thoroughly at Christianity than Mr. Gibbon? But Mr. Gibbon took this declaration "on the true faith of a Christian," and not alone sat in this House, but held an office under George III. He sat in this House, too, on the Treasury benches, under what may be considered more of a High Church Government than any that existed from the time of George I. in this country. Take also the case of Mr. Hume. Mr. Hume had not a seat in this House, but he held an office under Government, and represented for some time George III. at the Court of France. Can the hon. Member for the University of Oxford name any Jew in the last century who has written essays more calculated to undermine the belief in Christianity than Mr. Hume? And yet if he had been returned to Parliament, he would, no doubt, have subscribed the declaration on the true faith of a Christian, and that would not have prevented his admission to Parliament. I hold, Sir, that it is not by declarations such as I have referred to, that you can obtain security. But you say, that the Legislature ought to be a Christian Legislature, and that this Parliament ought to be a Christian Parliament. But we do not say that the nation is a Christian nation, and that the people are a Christian people, though we have 30,000 Jews in London; and in the same sense you will say, Parliament is a Christian Parliament, though six or eight of the Members out of 658 profess the Jewish religion. It appears to me, that no danger will arise from taking away those obstacles which have prevented Jews hitherto from entering Parliament. Parliament must not depend on such matters for its security; it must depend, as in former times, on the people at large, and on those who represent the people. Parliament must depend on the sentiment of the people, rather than on the continuance of seven words in an Act of Parliament for its Christian character. But, Sir, I have heard it said, although there might be such instances as that of Mr. Gibbon sitting in this House, and submitting himself to the requite declarations, that this Parliament has constantly been recorded as a Christian Parliament; that Christianity is acknowledged to be part and parcel of the law of the land; and that it would be a portentous innovation if we vacated this secure and safe ground. On that subject it appears to me that great mistakes are made by those who thus refer to the history of the country. In the early history of the country, the Jews were persecuted in every mode, and were subjected to every species of cruelty. At one time it will be found they were deprived of all their property; at another, thrown into prison, tortured, and banished the realm by a general Act of the Legislature. Such was formerly the treatment of the Jews. But, with respect to the theory under which this law was adopted, that theory was, not that the Legislature should be open to all classes of Christians, but that every member of it should belong to the Church which was then universal—the Roman Catholic Church. It is stated by Bracton, that the statute *De Hæretico Comburendo* was supposed to be as ancient as the common law itself. Every heretic was committed to the flames at once; and I will read to you the words of an ancient author (Lyndewode) to show what sort of a person a heretic was:—

"Hæreticus est qui dubitat de fide Catholicâ, et qui negliget servare ea quæ Romana ecclesia statuit se servare decreverat."

He taught that every man was a heretic who did not adhere to the Roman Catholic faith, or who departed in any particular from that faith. Such was the character of the law. It was not a general law in favour of Christianity, but it was a law in favour of that which then was the existing Church of the kingdom. But, in course of time, the Reformation came. Various sects arose — the Reformation, however, became triumphant. The Church of England was established—persecution of heretics still continued. In the reign of Elizabeth persons were sent to the flames on account of their religious professions not agreeing with the faith of the reformed Church. But at that time there arose a new distinction—a distinction not founded on religious, but on political grounds. The Roman Catholics of that day, thinking that they had no chance of supremacy under Elizabeth or James I., entered into repeated conspiracies with a view to change the succession of these realms. I am asking your attention on this point, because it was at that time that the words were introduced "on the true faith of a Christian." In the time of Elizabeth it was necessary that the oath of allegiance should be taken on the four evangelists, which the Jews, a despised and neglected race, could not take. But I will beg to read to you the preamble of an Act which is the first which I can discover, in which the words, "on the true faith of a Christian" were introduced, the Act 3 James I., c. 4, entitled, "An Act for the better Discovering and Repressing of Popish Recusants." The preamble states—

"Forasmuch as it is found by daily experience that many of His Majesty's subjects that adhere in their hearts to the Popish religion, by the infection drawn from thence and by the wicked and devilish counsel of Jesuits, Seminarists, and other like persons, dangerous to the Church and State, are so far perverted in the point of their loyalties and due allegiance unto the King's Majesty and the Crown of England, as they are ready to entertain and execute any treasonable conspiracies and practices, as evidently appears by that more than barbarous and horrible attempt to have blown up with gunpowder the King, Queen, Prince, Lords, and Commons, in the House of Parliament assembled, tending to the utter subversion of the whole State, lately undertaken by the instigation of Jesuits and Seminarists, and in advancement of their religion, by their scholars taught and instructed by them to that purpose, which attempt, by the only goodness of Almighty God, was discovered and defeated."

Section 15 prescribes the oath of obedience :—

"I swear from my heart, that notwithstanding any declaration or sentence of excommunication or deprivation made or granted, or to be made or granted, by the Pope or his successors, or by any authority derived or pretended to be derived from him or his see, against the said King, his heirs or his successors, or any absolution of the said subjects from their obedience, I will bear faith and true allegiance to His Majesty, his heirs and successors, and him and them will defend to the uttermost of my power against all conspiracies and attempts whatsoever which shall be made against his or their persons, their crown and dignity, by reason or colour of any such sentence or declaration, or otherwise, and will do my best to disclose and make known unto His Majesty, his heirs and successors, all treasons and traitorous conspiracies which I shall know or hear of to be against him or any of them. And I do further swear, that I do from my heart abhor, detest, aad abjure as impious and heretical this damnable doctrine and position that princes which be excommunicated, or deprived by the Pope, may be deposed or murdered by their subjects, or any other whatsoever. And I do believe, and in my conscience am resolved, that neither the Pope nor any other person whatsoever hath power to absolve me of this oath, or any part thereof, which I acknowledge, by good and full authority, to be lawfully ministered unto me, and do renounce all pardons and dispensations to the contrary. And all these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, or mental evasion, or secret reservation whatsoever; and I do make this recognition and acknowledgment heartily, willingly, and truly, upon the true faith of a Christian."

In the seventh year of James I. another Act was passed, by which Members of Parliament were required to take the oath of allegiance according to the oath in 3 Jac. 1., c. 4., s. 15, that is "upon the true faith of a Christian." Now, this shows clearly what the intention of Parliament was in inserting that declaration, "on the true faith of a Christian." It was intended to meet the cases of those Roman Catholics who bore true allegiance to the Crown of this realm, and to separate them from those who declared that their prince might lawfully be murdered. These words, "on the true faith of a Christian," were intended not to exclude either Jews or infidels, but to give a greater sanction to the oath which the Roman Catholic Christian took when he declared himself a faithful and true servant of the Crown. Now, I contend that the history of this declaration shows that it was intended only to give a security that those who were Roman Catholics, and who were admitted to office and to Parliament, were not men

who had swerved from their allegiance: and that, being Christians, they were asked to make the declaration "on the true faith of a Christian." I have stated this for the purpose of showing that, so far as the Roman Catholics were concerned, and so far as any exclusion or disqualification was in view, the introduction of these words was founded upon what was supposed to be political differences. In the reign of Charles II. the same reasons prevailed. James II., and those who were with him, wished to overturn the laws of the country, and therefore political reasons, and not others, led to the continued obligation of the same form of oath. But there was another class who were likewise excluded from Parliament—I mean the Protestant Dissenters. Were they excluded on the ground that they differed in religious belief? By no means. The ground of their exclusion was most ably stated by Bishop Sherlock, then a young man, in a pamphlet which he wrote in defence of the Test and Corporation Acts. He declared that every Member of Parliament ought to be well affected to the Established Church of the realm, and that it was not enough for him to be well affected to the civil institutions of the country, but that he must also be a friend to the Church as established by law. These were the grounds upon which these disqualifications were placed. They were never placed by the most able of their supporters upon the ground that religious opinions were in themselves a reason for disqualification. In early times, no doubt, differences in religious opinion afforded grounds not only for disqualification, but for persecution—for capital punishment itself. But when the ground of political disqualification was taken, and persons were excluded thereon from Parliament and from office, it was either because as Roman Catholics they owed to another allegiance inconsistent with their allegiance to the monarch of these realms, or because as Protestant Dissenters they were so averse to the ecclesiastical constitution that the Church could not be pure unless they were excluded from office and from power. But, Sir, whatever these reasons may have been, in 1828 and 1829 we removed all those disqualifications. Parliament declared, in its wisdom, that the Roman Catholics should no longer be subjected to the imputation to which they had been exposed, that of infidelity to their Sovereign, and that they were as well qualified as any other persons to hold office, with the exception of some offices connected with the ecclesiastical constitution of the kingdom. Parliament declared, likewise, that the Protestant Dissenters should not be subject to the disqualification which excluded from corporations and from office—for they were before eligible to Parliament—because disaffection to the Church Establishment was no sufficient ground for depriving them of the honours and rewards which were the right of every subject of these realms. I submit, then, to the House, that what is called the Christian character of our constitution, if it ever had any existence at all, has only existed from the years 1828 and 1829. Previous to that year your constitution excluded certain persons, but on the ground of their civil and political disability, to perform the duties of good subjects and good citizens. These disqualifications being removed, there remain only certain words connected with the oath of abjuration and the oath on taking office. Now as to the oath of abjuration. With regard to its expressions I have quoted an Act of James I., to show that they were intended not for the purpose of exclusion, but for the purpose of giving a superior sanction to the declaration. If they had been intended to exclude Jews, to signify and imply that their faith was so erroneous that it deprives them of the rights of British subjects, you would have something like the declaration against transubstantiation, some declaration of belief in the New Testament, or at all events some words expressly implying the exclusion of Jews. But you have no such words. You are merely required to make the declaration "on the true faith of a Christian." There are no direct words of exclusion; but you leave exclusion to be inferred. It is said, again, that Christianity is part and parcel of the law of the land. I have always understood the meaning of that statement to be, as I have heard it interpreted by several learned persons, that any writings reviling and blaspheming the Christian religion, the Scriptures being part of the law of the land, are illegal, and that those who so revile and blaspheme may be punished. But I never understood it to mean anything beyond that; and I think it would be quite a new interpretation of that doctrine to assert that, because Christianity is a part of the law of the land, every person is required, on taking the oath of office, to make that declaration "on the true faith of a Christian." I think now, then, that I have

established that there is nothing in the law of the country which was intended to exclude Jews from sitting in this House. I have shown you that, so far as excluding infidels from sitting in Parliament goes, there is no security, because that declaration which the Jews refuse, which their scruples make them refuse, may be easily made by a man who believes still less, and who entertains still fewer conscientious objections. If such be the case, then, let us see further whether there be any reason, not founded on the constitution, not founded on the laws of the country, to exclude Jews from Parliament or office. Sir, one of the grounds which has been stated is that the Jews are a separate nation. But the Jews deny this allegation themselves. They say that they belong to this country, and that as the Jews of France belong to France, those of England belong to England, and that they are ready to perform their duty as good subjects against any nation with which this country may be at war. Again, if the Jews do not belong to this country, to what country do they belong? When you exclude a man from the advantages of citizenship because he is an alien, it is because there is another country to which his allegiance is owing. But to what country are those Jews who have lived for a century or a century and a half in our country, who possess in it their property, who are bound to it by domestic and family ties, whom language, whom connexions, whom everthing tends to knit to England—to what country, I say—to what state, or king, or commonwealth, are they to resort to proffer their allegiance. To none whatever. They belong to England, and no foreign Power can ask for that support from them which they will give to this their country. But then we are told—although, indeed, this is rather an insult than an argument—we are told to look to the condition of the Jews; and we shall find as the late Mr. Cobbett said, that the Jews never engage in laborious occupations, or follow those trades in which other classes employ themselves. But is there not a reason for that? Do you not by your own laws prevent them from holding land, and in many corporate towns from exercising retail trades. Then what right have we to say, having forbidden them to hold land, or to engage in retail trades, you are disqualified because you show no disposition for acquiring land, and no industry in plying retail trades. Is that justice? Is that sound argument? But there are other countries in which Jews have been admitted to all social privileges. In France they are competent to hold all the offices, to enjoy all the emoluments which the State has to give them; and it is the evidence of some of the most enlightened men in France—of Baron Dupin, for instance—that there the Jews show the same attachment to the possession of land, the same industry in the pursuit of trade, as may be looked for or seen in any portion of the community to whom the same advantages are open. Do not, therefore, rest on your former disqualifications and proscriptions, and argue that when these disqualifications and proscriptions are taken away you will not find Jews as ready to adopt the ordinary industries of life as other men. But against these unfortunate people other arguments have been used. We have been told, in awful language, that not only on grounds of policy ought the Jews to be excluded, but that there are solemn denunciations in prophecy which ought to prevent you from ever granting them equal rights. Sir, it is obvious that if such be the meaning of prophecy, it is not for us to decide what shall be done, but Providence will accomplish its own purposes, and work out its own wise designs. But, Sir, I would ask, where is it that those who use this argument would draw the line? I have told you that in France Jews are allowed to hold all offices, are eligible for seats in the Chambers. In this country we have very much relaxed the old restrictions. A Jew has been a magistrate, a sheriff, and by a late law, proposed by the right hon. Baronet the Member for Tamworth when he was in power, a Jew can hold office in a corporation, by virtue of which it was but the other day that, by the consent of his fellow-citizens, a Jew was raised to the office of alderman. Now I ask you, what right or business have you to interpret the prophecies so as to draw a line between an alderman and a commissioner of customs—between a justice of the peace and the privilege of sitting here in Parliament. Who enabled you, or authorised you, to say that was the line intended by prophecy? Can you take upon yourselves to show that these are the limits which the Almighty intended to establish? That were to

> "Strike from his hand the balance and the rod,
> Rejudge his justice, and be God of God!"

Sir, I trust that we shall manifest no such presumption—that we shall do that which we think our duty to our fellow-country-

men—that we shall do our best for the interests of our land, and, having done so, put our trust with humble confidence in the power of the Almighty to accomplish his own purposes by means best known to his own wisdom. Still there remains that which, although I can scarcely call it an argument, still weighs more than almost any other consideration against those unfortunate people whose cause I have this night undertaken. Sir, there is a popular prejudice against the name of Jew—founded partially on various circumstances to which I need not allude—partially upon what I take to be an erroneous view of holy writ—and partially upon the mistrust with which men of one religion are apt to regard those of another. But, Sir, that popular prejudice which induced an Administration in 1753, after passing an Act for the naturalisation of Jews, to come hurriedly down to Parliament next year to ask for its repeal—that prejudice has, I believe, greatly subsided; and I have seen with my own eyes proof of it in the circumstances which so lately occurred in this metropolis. We know that a gentleman in the city of London, well known in that city from his extensive transactions, his great wealth, his great charity and liberality, was elected to sit in Parliament for that city by nearly seven thousand voices. I quote this, Sir, as a proof that this House would not be safe in falling back upon popular prejudice, in saying "Our opinion indeed is different; we are liberal, and we intend well to our Jewish fellow-countrymen, but there is such a prejudice abroad against them that it is not safe to legislate in their favour." I warn Gentlemen not to rely on that feeling. I believe the public to be fully as enlightened as are Members of this House. I believe the general feeling, and, as I conceive, the right and true feeling, to be that religious opinion ought not to bring with it any penalty or punishment; and, Sir, I believe that that right and true opinion is rapidly overbearing all prejudice. I have now, Sir, stated the reasons why I think that the objections which have been made against the admission of Jews to Parliament are futile and unfounded. If I am asked what are the prevailing reasons for the Motion which I have proposed, I appeal in the first place to the constitution of these realms. I appeal to that constitution which is intended to give to every man those rewards, that honour, that estimation to which his character and talent may entitle him. I appeal to that constitution which, by the abolition of laws existing a few years ago, has put an end even to those cases of exceptions which our ancestors thought, on grounds of imminent danger to State and Church, they were justified in imposing. I ask you in the name of that constitution to take away those last remnants of religious persecution to show that you are not influenced by those apprehensions—those horrors which might make that which was an act of political justice an act of political necessity. I ask you, in the name of the constitution, to admit Jews to all the privileges, all the rights of which those who are not excluded from them are so justly proud. And let me tell you, Sir, that you cannot judge of the feelings of those who are excluded by the number of those who might wish to occupy seats in Parliament, or who might aspire to office under the Crown. Many a man there is who would not seek either—who is content to pass his days in obscurity—studious only of the advantages and the comforts of private life, but who yet feels the degradation—the galling brand which is imposed upon him when he is told that all other classes of men, members of the Established Church—Protestant Dissenters—Roman Catholics—may all take their seats within these walls, and enjoy the advantages which these seats give them—but that he alone belongs to a sect which by the law and the constitution is utterly proscribed and degraded. But, Sir, I would make a still higher appeal—an appeal to the principles of Christianity, with which our laws are interwoven. I appeal to you in the name of that religion which is one of love and of charity, to do unto others as you would that others should do unto you. I ask you why it is that when we are taught by example and by parable how it is that we ought to love our neighbours—I ask you why it is, that it is neither the priest nor the Levite who is singled out for our instruction, our approbation, and our admiration, but a member of one of the proscribed sects, one who belonged to what the Jews accounted the very refuse of nations—I ask you how it is that such a man should be singled out, but to teach the lesson that all men are brethren, and that there is no part of the human race, however divided from us by feeling or by colour, which does not yet belong to the family of man, and who ought not to be received into one universal brotherhood? I ask you then, in the name of that con-

stitution, which is a constitution of liberty and of justice—I ask you in the name of that religion, which is a religion of peace and good-will towards men, to agree to the Motion which I have now the honour to make. The noble Lord moved—

"That the House will resolve itself into a Committee on the removal of the civil and political Disabilities affecting Her Majesty's Jewish Subjects."

Sir R. H. INGLIS :* The extraordinary attention with which the House has just listened to the speech of my noble Friend the First Lord of the Treasury, was due not more to his talents and temper—not more to his high position — than to the awful importance of the subject upon which he has addressed you. For myself, I will only say, that, while I feel deeply that importance, I trust that I shall nevertheless be enabled, in endeavouring to answer his arguments, to imitate the temper, at all events, which he has maintained in the discussion. In his prefatory remarks, the noble Lord observed, that, as he understood that an opposition would be offered on my part even to the first and almost formal Motion on the subject, (namely, to the Motion that you, Sir, do now leave the chair for the purpose of the House resolving itself into a Committee of the whole House—in which alone the resolution forming the groundwork of his proposed Bill can originate)—he felt it necessary, here at once, to explain the extent and principle of his intended measure. It becomes, therefore, my duty—at once, also—to say, that it is, as my noble Friend has assumed, my intention to take the sense of the House on the very first point raised in the course of the proceedings; and, accordingly, that it is my determination to oppose by a division the first step which tends to pledge the House to take such a measure even into its consideration; yet, if unhappily the division should be unfavourable to me, I will not—I am speaking, however, of course for myself alone—give the House any further trouble on the mere introduction of the Bill, whether to-night or to-morrow; but will allow it to be brought in and to be read a first time, without either formal debate or division; assuring my noble Friend, at the same time, that it is the fixed determination of many, as well as of myself, as it is our firm conviction of our bounden duty in the matter, to resist its further progress by every constitutional means which the law and practice of Parliament may place in our power. In the present instance, our course is clear. The question raised is one not of detail but of principle; and, therefore, when a similar proposition was made in 1830 by my late right hon. Friend, Sir Robert Grant, I resisted the very introduction of his measure; and on other occasions, I believe, I have opposed thus, *in limine*, a concession which seemed to admit that the House might consistently entertain the consideration of the subject. We followed, not unreasonably, a different line in respect to the Roman Catholic Relief Bill, which was brought in, without a division, two or three weeks ago, by the hon. Member for Youghal (Mr. Chisholm Anstey). There it was possible that there might be some proportion of good mixed up with the apparent evil of the measure; and under such circumstances, particularly as the question, though rejected by the last Parliament, was new to many in the present House of Commons, we did not refuse—at least we did not divide against—the Motion for leave to bring in such Bill, so that the existing House, like its predecessor, might see the proportion of good and of evil which possibly might be found involved in it. But in respect to the present measure, we are as fully acquainted—by the mere terms of the notice on our books—with its whole object and extent, as if we had read every line of the Bill in which it is to be embodied. To my apprehension and my conscience, that measure is unmixed evil—evil in itself and in its consequences; and, therefore, without a moment's hesitation, I refuse, so far as depends on me, any the slightest encouragement to its adoption by this House. The measure requires, indeed, little encouragement from any one else, when it has secured the support of the Prime Minister of England. It is sufficiently formidable from the fact that he introduces it. Without undervaluing the talent or the character of others by whom similar propositions have heretofore been made (and I refer especially to my lamented Friend, Sir Robert Grant, the original patron of the measure), it is evident that the present attempt is far more alarming. This is the first time in the history of the subject when it has been brought forward by a Prime Minister, or even by any Member of the Administration of the day. The constituents of the noble Lord, who appeared this day at our bar with their peti-

* From a corrected report published by Hatchard.

tion, through one of the sheriffs of London, in favour of what they call the emancipation of their fellow-citizens, are fully aware of the advantage which the actual circumstances of the case secure to their object; and they use the *prestige* accordingly. They hail with especial joy the advocacy of the Prime Minister of England, one of their own representatives, in favour of another of their representatives, the organ of the Jews in England, as a signal augury of their approaching triumph. Yet while I fully admit—for no one is less willing than I am to depreciate either the talents or the character of the noble Mover—that the proposition which he has now adopted is far more formidable because he has adopted it, than it ever was in any other hands, even now my noble Friend is as yet, I trust, unprepared to state that he tenders his Bill on the part of a united Cabinet. Unless public rumour be more than usually incorrect, I do not think that my noble Friend can state that he is supported in his measure by all his Colleagues in both Houses; and, therefore, I indulge the hope that it may still be, even here, "an open question." At all events, the authority of the Crown has not yet been pledged in its favour; and the Speech from the Throne has been silent in respect to this great change in the constitution of the country. My noble Friend expatiates on the personal merits of the parties on whose behalf he pleads—he talks of their peaceful subjection to the laws, their industry, their benevolence to those of other creeds as well as to those of their own. It is not my object now—it never has been on any former occasion—to deny the merits of the Jews who are in England. I do not contradict the noble Lord's assertions; but I contend that these merits of the Jews in England are neither so exclusive or so predominating as to justify the claim which is made on their behalf. They may be in commerce, whether high or low, as honest and as industrious as our Christian brethren; they may bear as high a character for fair dealing—they may deserve it as justly; they may be as benevolent to all men as Christians ought to be—my single proposition is, that they are not more laborious, more charitable in proportion to their means, than many other classes, to whom, nevertheless, the existing constitution denies the right of sitting in this House, and, thereby, of forming a part of the governing power of England; and, therefore, that in favour of these men, who are not the only ones in England possessed of good characters, the Christian constitution of England ought not, necessarily and of right—for the sake of their personal and individual qualities—to be fundamentally sacrificed. Take, for instance, the property qualification: how many respectable men are there who have not 300*l.* a year, and thereby are not qualified to sit here as representatives of boroughs? How many more who have not 600*l.* a year, and, therefore, are not qualified to sit here as representatives of counties? And, therefore, when my noble Friend uses such language as this, which I took down from his lips this evening, "Every Englishman is entitled to every honour and advantage which his country can afford," he proves too much for his more immediate object in favour of the Jews; unless he be prepared to go much farther, and to remove, not merely all qualifications as to age, character, and property, in respect to a share in the government of England, but, as I shall hereafter endeavour to show, all the sanctions of oaths also. Again, my right hon. Friend, Mr. Macaulay, whom I regret to be allowed to name, inasmuch as I regret that he is not at present one of our number, used in my hearing on a former occasion the phrase, "All privation is punishment." Why, if such be so, why do you punish the copyholder? Why, if such be so, do you punish the freeholder of 39*s.* per annum? Another of my friends, one of the most learned and laborious of the constitutional antiquaries of England, tells me, that, in a free representative State, the absence of a share in the "capacity of representation" is disparagement; that any disparagement is degradation; and that all degradation is persecution. Alas! again I say, alas! for the copyholder;—alas! for the poorer freeeholder;—alas! for the honest man, whose labour is his only property; all disparaged, degraded, and persecuted by the constitution, even the reformed constitution, of England. The answer to all is easy. Power is no man's right: it is distributed by the State to each in conventional proportions, or denied to some altogether, and given largely to others, according to the discretion of some original supreme authority; and in our own country—from the first day of its constitutional existence to the present—opinions, as well as age and property, have been considered essential in respect to the capacity of governing Eng-

land. It is not so much that the absence of power is "a disability," (of which any one has a right to complain,) as that the presence of such and such qualifications is the evidence of "the ability"—imperfect at the best, but still the constitutional ability—which the original supreme power of the State has required for the discharge of specific functions. So much, then, for the doctrine maintained by my noble Friend, that the negation of power is punishment. I deny it on general principles; I deny it on the practice of every civil society in the world; I deny it, emphatically, on the precedent and the authority of the constitution of England, which no more punishes Jews than it punishes copyholders. The real question at issue between us this day is not, however, whether a particular class, the Jews in the present instance, shall, or shall not, be admitted to a certain definite object of political power: the real question to-day is not between Christians and Jews; but between Christians and Non-christians; between those who hold our common Christianity on the one hand, and those on the other hand who in any form deny it, or to any extent execrate it; between those "who profess and call themselves Christians" on the one side, and Jews, Mahomedans, Bramins, Parsees on the other side—according to the doctrine of the hon. Member for Montrose (Mr. Hume) a few nights ago—"however ridiculous, absurd, or cruel their rites may be." These were his words; and I wish the noble Mover of the present resolution, when he talks of removing the disabilities of the Jews as "the last remnant of intolerance," and I wish the House, and I wish the country, to see to what extent the principle of his measure is legitimately to be carried. In plain English, the same principle on which the admission of the Jew is claimed to-day, will admit to-morrow every subject among the hundred and forty millions who own the Queen's authority, whatever be his creed, or no creed—if by any means he can induce any constituency in England to elect him. Why, the very gentleman whom we saw in his turban under the gallery three or four evenings ago, Rango Bapojee, the vakeel of the late Rajah of Sattara, might as fitly take his place amongst us as the Jew—or at all events the gentleman with the peaked cap, the Parsee from Bombay, Manochjee Cursetjee, whom we all remember in England two or three years ago, might claim to represent the shipping interest of his country, or the cotton interest, or the sugar interest; and as such might deal with the most precious deposit of the constitution of England, its Church and its Christianity, exactly as one who has, at all events, pledged himself on the Gospels to discharge his duty on the true faith of a Christian—might presume to do. If the House be prepared to sanction this principle, let the country know it; let our constituents be told that we throw to the winds all the securities which we possess for even the nominal profession of the Gospel among those to whom hereafter we entrust the chief government of England; and let the decision be fairly taken on the question—not whether, as has been said, some four, or five, or at the most six Jews shall take their places within the bar—all "honourable men"—but whether, by their admission—by altering our Christian oath for the sake of admitting them—we do not practically open the door to every other man who has money enough—since you still uphold the requirement of a property qualification, whatever else you abandon—to obtain within these walls a share in the government of the Christian people of England. All this is not merely the half-unwilling admission of many; it is the glory of some. The noble Lord's constituents, the Corporation of the city of London, whose petition was read at the table this afternoon, claim in substance a seat in this House for any one whom they may think fit to elect. "The choice of his fellow-citizens" is, according to their interpretation of the constitution, his only and all-sufficient qualification; and if any one can find a borough willing to send him, he is *ipso facto* fit to be sent. Now my answer to all this is—it may be right, or it may be wrong; but it is not the English constitution of to-day, nor is it consistent with the constitution as it existed at any time since England has been a nation. The same learned and estimable antiquary to whom I have already adverted, tells me, indeed, that this empire has no religion. He explains this doctrine, partly from certain acts within the last twenty years, and partly from the extension of the government of the Crown of England over so many millions who have no sympathy with our faith, and who either profess the creed of the False Prophet, or are idolaters in every conceivable form and fashion. My answer is, that so long as every person bearing any share in the government of this country, from the Queen on the Throne,

down, through the two Houses, to the officers of Her Majesty's household, must all profess the faith of Christ, and testify it by an appeal to His Gospel, the religion of this country is "Christianity;" and we have not yet been ashamed of professing His faith. But whatever may be said of the theory of an abstract antiquary, the House ought to know how a Jew, writing at this moment as a partisan in favour of my noble Friend's measure, designates this country, and denies already its claim to the character of a Christian nation. I refer to a pamphlet sent to me this day, (and, I presume, sent equally to every other Member,) entitled, "*Ought Baron de Rothschild to Sit in Parliament?*" in which the author, a physician, Dr. Barnard Van Oven, coolly and deliberately asserts, (I am quoting his very words, in p. 25,) "This is not a Christian country; and Christianity is not a part and parcel of the constitution." Now, for the present, I postpone the consideration, how far, in abstract theory, his assertion may be admitted, with or without qualification—though I have already denied it, with as perfect a conviction of the truth of my own denial, in the existing state of English law, as I could deny any proved error in respect to the facts of the history of England—and I confine myself to the consideration, (and I implore the House faithfully to pause and to consider,) how far, if Christianity be dear to them, they will entrust any fraction of its future influence in this empire to the care of such a man, or of any of those who hold his unhappy abhorrence of the Gospel. Be it so that Christianity is not the religion of the nation; still if you, as the House of the Representatives of the United Kingdom, do, collectively, regard it to be true—if in your individual characters you still regard it as the only ground of your own hope of salvation, do not, I implore you, lessen the influence of the Gospel, by withdrawing the necessity of the national profession of that Gospel among us. For what is likely, I ask, to be the *animus* and spirit of the man, when he shall get into this House, who, even before entering it, and when he is a candidate for our good opinion, cannot refrain from making a statement which is an insult alike to our sense and our feelings? When admitted here, will he not endeavour to give the fullest effect to his own declaration, and will he not labour to fetter and degrade the Christianity of England, and to check and neutralise the influence of its Church? And do I blame him for this? No; he is consistent with his own conviction "that our faith is a falsehood;" but I blame you, who are willing to give him the power which he, and those of his misbelief, will, as you must know, so employ. The possession of the Gospel ought to be our glory, as it is our privilege: but the Redeemer God, in whom alone we trust, is, as this Jew will tell us, a "crucified impostor." I do not willingly introduce such a phrase, even to repudiate it with shame and indignation: but when a Jew publishes such a dialogue as that which Dr. Van Oven has circulated amongst us this morning, and when he already exults in the assertion that we are no longer "a Christian country," those, who feel that such a description is in fact the foundation of their national glory, may well pause before they recognise the contradiction of it to be true, and give any further encouragement to the Jew or to the infidel. The Jewish writer who, as I have already quoted, affirms that England is no longer "a Christian country," proceeds to defend his proposition on this ground already taken up by my unnamed antiquary; that is to say, that since the extension of the dominion of England—since England ceased, in other words, to be England proper—since England has acquired dominions over which the sun perpetually shines—England has ceased to be a Christian country, because, amongst the millions who are subject to her imperial Crown—"if they were to be sorted into religious classes, the Mahomedans or the Hindoos, I believe," (as says Dr. Van Oven, in his pamphlet of to-day), "would be the most numerous." According to that proposition, the religion of a country must be determined by that of the numerical majority subject to its sway: and the religion of England ought to be that of Bramah—a proposition so extravagantly absurd, that I ought perhaps to apologise to the House for even an allusion to it; nor should I, indeed, have alluded to it, if the grave author whom I have quoted had not brought it forward as his argument for denying that England is any longer a Christian country. The truth is, that the doctrine of Dr. Van Oven has received more encouragement, even in this House, than, I think, was intended; for, even in this House, and even in this night, phrases—in relation to this doctrine—have been uttered, which are incorrect in themselves, disparaging to the truth, and calculated to

give a species of support to the Jew assertion which I have quoted; for did not the noble Lord the Prime Minister of England, when referring to the words which he proposed to expunge from our oath—in favour of any one who chooses to have them expunged—namely, the words "on the true faith of a Christian," (which words we regard as some evidence of the Christianity professed by our Legislature,) assert, that "the Christian character of our constitution has existed only since 1829;" as if, because those words were placed in their actual position in the particular oath at that time, the Christian character of the Legislature of England was then, for the first time, and in that way only, professed? Now, if it could be proved that the Christian character of the constitution and Government were not time-honoured, were not co-æval with our earliest history—were, on the contrary, not more than eighteen years old—were, in fact, almost of yesterday—I admit, that, though the proof would not in itself justify or even palliate the proposed alteration, it would deprive us of the right of saying, "you are taking from us the inheritance of our ancestors, and are sacrificing the Christian character which we claim for England since it bore that name." But the fact is not so; the very words "on the true faith of a Christian," appear, as my noble Friend himself quoted, in a statute (3 James I. c. iv.) nearly 250 years old; and, more than this, I assert fearlessly before every constitutional lawyer—and I challenge my noble Friend the Prime Minister, himself already distinguished as an historian, and I challenge our future historian, Mr. Macaulay, to deny the assertion, that, until the changes of the last two or thee years, never was office conferred in this country, or public duty undertaken, in cases where the sanction of an oath was required, unless such oath were taken in words applicable to Christians only, or upon symbols regarded as sacred by Christians exclusively. If this be so, if I can prove this, I am justified in saying, that, up to a recent period, all power, and, up to the present day, all the supreme power of legislation, has in this realm of England been confined to those who profess and call themselves Christians. I am not, for the moment, entering into the merits of this position; I am merely asserting the fact. And even if my noble Friend should have pigeon-holes full of constitutions for other parts of the world—if he should not be so sensible of the value of our own constitution as to be willing to establish it everywhere else—if he were dealing with any other country than our home, England—if he were dealing with Nova Zembla, or with Kamschatka— [An Hon. Member: Or New Zealand.] I have cautiously abstained from an allusion to New Zealand; I believe that we shall not soon again have another constitution for New Zealand—if the Prime Minister were dealing with newly discovered countries, he might say, with less objection, though he would still, as I think, be very wrong in saying, "I will have perfect equality here among all forms of worship, and among those who have none—I will not have the Gospels as the book on which an oath is to be taken—I will have no Christian obligations; a man shall make a 'gentlemanlike' declaration, as in the Chamber of Deputies in France, without reference to God or Gospel, and still less without any reference to cross or crucifix, as in other parts of Europe, sanctifying an oath. I will be content with his saying, 'I will be faithful and bear true allegiance to Her Majesty Queen Victoria;' and, whether he possesses property of 300*l.* a year, or of 600*l.* a year, or be a total bankrupt, he is in my judgment equally eligible for every trust of power." All this I can understand, however I might reprobate it, or deplore it, even in its application to a newly explored portion of the globe; but I resist it here; I deny your right to introduce these doctrines here: for here is Christian England—here we have a Christian constitution—here we all profess ourselves at least to be Christians; and, in the face of our country and the world, record it on the book of God's gospel. And I repeat it, that I defy the collected researches of the two historians, my noble and my right hon. Friends, to produce any instance in the annals of our country from the time of Alfred to that of Praise-God Barebones—from the time of Praise-God Barebones to the Revolution—from the Revolution to the present day—in which an oath of legislative power was ever taken except on some Christian symbol. By every such oath, then, the Jew was excluded; and by every such oath, power in this Christian land was confined to those who professed Christianity. In the time of Edward the Elder the oath was in these terms, "I swear by the Lord, before whom this relic is holy." In later but still very early days, the oath

was, "Juro, tanctis sacrosanctis Christi Evangeliis." And, therefore, even if the precise words "on the true faith of a Christian" did not preclude the entrance of a Jew, or other unbeliever, within these walls, the book of the Gospels, or some other symbol, applying to the conscience of a professing Christian, as such, equally excluded every professed enemy of the Gospel from bearing a part in the government of Christian England, or taking a share in the direction of the affairs of its Church. But, says my noble Friend, your Christian oaths did not exclude from office such a man as David Hume, or from this House such a man as Edward Gibbon; and, therefore, they are valueless as protecting the Christianity of England from the assaults of unbelievers. I admit his two facts with grief: he might have quoted a third, a man of higher political influence, a former Chancellor of the Exchequer, in the same age, Sir Francis Dashwood; they lived in a period, in some respects, the worst in English history; but probably, even they never did or said anything in this House, which impugned the Christian character of the Legislature, as such: on the contrary, indeed, my noble Friend says, they belonged to a Government specially distinguished for its adherence to the doctrine of "Church and King." But because some few men, in the course of the last century, of whom it might perhaps be said that they were infidels in their lives and writings, had found seats in this House, was it reasonable to assert, as the practical conclusion, that, therefore, the national profession of Christianity on the part of the supreme Legislature of the country ought to be withdrawn? In a free representative constitution like that of England, out of some 558 in the last century, and 658 in the present, who in each new Parliament have entered this House (the aggregate number of all who in that period have had seats amounting probably to more than 6,000 individuals), it is too much to be feared that some have been elected, of whom it might be said that they were destitute alike of all public and private morality; but, admitting the fact in its fullest extent, is this a sufficient ground for blotting from the statutes of the realm the solemn declaration which every one on entering this House is still required to make, namely, that he will discharge his duties "on the true faith of a Christian?" The most solemn of our proceedings—that with which we commence the business of every day—is prayer; asking God's blessing on us, through Jesus Christ. In the words of the petition of the University of Oxford, which I had this evening the honour of presenting to the House, how can our new associates, if the noble Lord shall unhappily be able to introduce them, join us in these acts? Without judging my brethren, I should, I am sure, justly expose myself to ridicule, if I expressed my belief that any Jew could, without awful blasphemy towards God, or deliberate mockery towards his fellow-men, unite in those supplications, "Lord have mercy upon us, Christ have mercy upon us." I will not pursue this subject; it is enough for me to have called the attention of the House, thus passingly, to it; but I have said enough to justify me in pausing here, and asking the House whether, if such be the mode of admitting the Jews within these walls, and such be the first consequences of the measure, its counterbalancing advantages are worth the cost—even in the cooler judgment of its friends? The Prime Minister, indeed, has urged concession on the ground of liberality as well as of justice; and has said, "The Jews are only 30,000, or at most 40,000 in number; and what harm can it do you to admit such a fraction into an equality of civil rights with the rest of the nation?" He says, referring to the demonstrations of physical force made elsewhere by others to claim what they called their emancipapation, "These men, the Jews, are powerless in that respect; but do not, because they are powerless, refuse them their due share in the constitution of England; do not yield everything to fear, and nothing to justice." Let me answer at once, with me numbers have never constituted an element in the consideration of this class of questions. I would, as I stated at the time, have granted the Roman Catholic claims, if I had thought them founded in justice, though they had been urged by no more than ten poor men; I would have refused them, as I did endeavour to refuse them, believing them to be unfounded in justice, when they were demanded by millions. And, therefore, the fewness of the Jews is with me no more an argument now, in respect to the present measure, than the numbers of the Roman Catholics constituted my argument in their favour eighteen years ago; since in every constitution, the distribution of power, as I have already said, is discretional on the part of

the supreme authority, and is given or withheld, in reference to the general interests of the whole State, without any individual subject having any original and independent right to a share. If this be so, though the amount of numbers would not enter into the question of justice or no justice, the amount of numbers did materially affect a question of expediency; and it might, or might not, be expedient to grant a privilege which would satisfy many, while it would dissatisfy a few; though, on the other hand, it would be very inexpedient to grant such privilege, when the result would be reversed, and the concession would dissatisfy, alienate, and exasperate many, while it would meet the wishes of few only. And this is the present case; you gratify a few, with the certainty of displeasing millions. I can assure the Government, that, though the measure has not as yet called forth that multitude of petitions which its importance will ultimately produce—while yet the two Universities and several influential bodies have nevertheless already expressed their strong convictions against it—there is a deep and growing feeling in the country of dislike and of resistance to the measure. The question at issue is a practical English question — How much of the existing profession of Christianity in this land you will abolish for the sake of—what?—the admission of a Jew into this House? Two or three years ago, I ventured to describe a Bill, then on our table, as "a Bill to enable David Salomons, Esq., to become an alderman of London"—the Bill which my noble Friend now desires to introduce might, in like manner, be entitled, "a Bill to enable the Baron Lionel de Rothschild to become a Member of this House." More than one Jew, indeed, would probably be gratified and privileged by the success of the noble Lord's proposition; but how small would be the proportion pleased or benefited, in proportion to the numbers disquieted and alarmed! If, indeed, we looked to the full extension of the principle now advocated, the numbers whom we might thus permit to legislate for the nation and Church of England, would not be few; but even limiting our consideration to the single proposition now before us, a small number, so introduced, might not be ineffective, even as to numbers, in the present state of the representation of England. At all events, and with reference to higher objects, you annihilate your present security for the open and unchallenged profession of Christianity within these walls, when you remove the solemn declaration, "I will discharge my duties as a Christian," from the engagement which every one at this day contracts when he enters this House as a representative of the people of England. My noble Friend says, "I remove but little; I remove only what is at the fag-end of the oath." I heard his words with pain: every part of every oath is bound together by the awful words which really form its close, namely, "So help me God:" and, though these words are few, yet, connected as they are, with the other words "on the true faith of a Christian," they have hitherto been held sufficient to prevent any open and irreverent non-Christian from touching our most sacred interests. Henceforth, if the proposed Bill shall unhappily pass, every one will be at liberty, so far as law is concerned, in using his privilege here to the open contempt of Christianity, however much for a time he may be withheld by the courtesies of civil life. I have already admitted in substance that the proposed measure is not actually a dethronement of the Christianity of England; but no man will venture to rise in his place and deny my position, that, henceforth, the Legislature will hold, as a principle of the theory of the national representation, "that it is a matter of public and national indifference, whether our rulers, or any portion of them, be Christians or non-Christians." This is enough for my argument; and far too much for my comfort, in looking at this proposition and its consequences. For, among its consequences, will too surely be the experiment never hitherto tried in this country—never tried in the great histories of the ancient world — never tried in modern Europe, till the experiment of the French Revolution — namely, whether you can safely bind a people and its sovereign and its legislature together without solemn oaths—without invoking God's blessing on the union and its obligations. I am quite aware that this does not touch, and has not for a long period touched, the question as to judicial oaths, especially in criminal proceedings, which, in every civilised nation, I believe, at present, have admitted—at least do now admit—every man to take an oath according to his own forms, that is, according to his own sense of its binding force; inasmuch as the peace and the security of society, in life and property, require this; but this has been little held

in respect to the grant of privilege and power; and publicly, in respect to the fitness of the principle in the abstract, this, I think, is the first country in which, without a revolution, the change has ever been proposed. And for whom is it now proposed in England? For some thirty or forty thousand strangers! For some, whose very names and titles prove them to be un-English. For those, who, as I believe, never can be English. My noble Friend touched lightly upon this point, "that the Jews are a separate nation from ourselves, and from every other people on earth." I will soon proceed to notice this point more directly; but in the first instance I may assert, without fear of contradiction, that two centuries ago there was not one single Jew in this realm of England; that they came in, drop by drop, preserving their own inherent and insoluble character. Did we invite them?—did they come in for our convenience?—did they not come in for their own?—does any one injure them?—does any one insult them?—does any one now "spit on their gaberdine?"—do they not enjoy every social protection?—do they not live in all luxury?—does any one envy them the wealth which they gain among us? But, on the other hand, can they claim from us the sacrifice of the Christian character of our constitution, for the sake of admitting them to a share in governing us?—can they ever, as true Jews, be amalgamated with us?—are they not always, necessarily and intrinsically, a separate people? I remember in this House an expression from my right hon. and learned Friend, Dr. Lushington, recognising incidentally the prevading truth of the nationality—the mysterious nationality—of the Hebrew people. He observed, casually, "if a Jew be married according to the rites of his nation;" and when my late valued Friend, Sir Robert Grant, had advocated the case of the Jews in England before this House, he received as his reward — and, lest there be a mistake, I say his only reward — an address from Jews in Mannheim, in Heidelberg, and elsewhere, as citizens of one nation, thanking him for what he had done for Jews in England. I recollect the first sentence of the address of Mr. Hart, a Jew, which I have already, I think, quoted on a former occasion—"I feel myself called upon as a member of an ancient and oppressed people;"—at all events, I remember to have quoted, though not in the hearing of many in the present House of Commons, and, therefore, perhaps, I may be permitted to repeat it, a celebrated passage from the writings of the Rabbi Crooll—a great controversialist, let me add, against Christianity—who resided as a teacher of Hebrew in the University of Cambridge, and who published a dialogue between himself and one of the ambitious office-seeking Jews in England, in which is this passage:—

"Brother, you are mistaken greatly; you are no Englishman; though born in England, you are no more than a foreigner. You have no home in this land, nor in any other country. Are you not a Jew?"

My noble Friend the Prime Minister can hardly, I think, deny the force of this evidence to the still subsisting and indissoluble nationality of the Jews, and the unfitness of endeavouring to make them, while they continue Jews, the fellow-citizens of a Christian people, having indeed a share in a lordship over us; but at all events I can quote an opinion to the same effect, which my noble Friend, as the biographer as well as the descendant of the personage who uttered it, will not regard as entirely unworthy of the consideration of his country in any age. John, Duke of Bedford, the Minister Duke, spoke of the Jews, in 1753, as foreigners—

"Whose latest posterity, while they continue Jews, will continue to be, and will consider themselves, as a people quite distinct and separate from the ancient people of this island."*

I need not ask, were the Jews the hereditary inhabitants of this our England? were they contemporary with the Saxon race, or with the Norman race, or did they come in with our Scottish brethren? No, Sir, I repeat it, the remostest ancestors of the present generation of Jews came into England less than 200 years ago; they came here for their own profit, for their own convenience; they sought protection, and they found it; they sought the means of wealth, and they obtained it; but they made no terms by which they then claimed, and we agreed to grant, that, for the sake of giving them political power, and a share in the government of England, we would alter the rules and forms of our social and civil institutions, and erase from our constitutional requirements the words "on the true faith of a Christian," to please them, or their children, or any other Jews in the world. I deny then, Sir, the abstract right of the Jews to claim the privileges which the noble Lord asks for them.

* Parliamentary History, Vol. xv. p. 105.

I deny their conventional right. I see the evils which their admission may add to the evils already existing in the administration of Christian and Church affairs by our present mixed assembly; I foresee, with the congregation who have this evening addressed us in an excellent petition from St. Jude's at Liverpool, that Jew legislation in these walls will be a new argument for the separation of Church and State; I deprecate that separation: and, before you give even the least assent to the present proposition, I call upon you to pause. You are doing, by your vote in favour of the noble Lord's proposition, what you can to abolish the name of "Christian" from your proceedings; you are admitting to legislate for the Church of Christ here established one who not only is not a member of that Church—one who not only has no sympathy with it—but one who disbelieves in the very Christ on whom that Church is founded; that Christ, whom to name henceforth with honour in this House, will be to violate the feelings of some of our colleagues. Never since England was a nation has it ever been other than a Christian nation, making its acts and its oaths reflect a Christian character; imperfectly indeed, but still formally and publicly professing in its Legislature an allegiance to Christ. Here, then, again, I call upon you to pause; and do not, for the sake of a fractional portion of civil good, renounce so much of your highest obligations: ere it be too late, before you give your consent to the introduction of a measure fraught with such consequences, I implore you—for the sake of our common Christianity—to pause.

Mr. W. J. FOX: According to the hon. Gentleman who spoke last, it would seem that the constitution of this country was Christian and exclusive. To him, those terms conveyed an utter contradiction, nor could he conceive how that constitution of which it could be with truth said that it was Christian, could be also said to be exclusive. Those great moral principles which were the glory of Christianity could not be exclusive, because they were in themselves more comprehensive and expansive than those of any other morality which had ever come upon the earth. The great law to which the noble Lord adverted, that "of doing to others as we would they should do unto us," was certainly not exclusive; but in its comprehensive scope taught us to bear in mind the civil disabilities which were imposed on our Jewish fellow-subjects; and would influence us, supposing we were in the minority instead of the majority, and in the performance of civil duties, most certainly to look for rights commensurate with those duties. Nor did he see in the constitution of the country itself, anything which could be set up as modifying the spirit of Christianity. What had been the whole current of their legislation of late years; and what had been its great and leading characteristic with respect to the diversity of religions and sects? Continually to open and extend the limits of the constitution, to spread it from one class over another. There was scarcely an instance for the last century and a half of anything like exclusion being the result of legislation. At one time, in the reign of Elizabeth, the religions professed in England might be said to be identical; but it was found impracticable as a permanent arrangement to attempt to enforce exclusion. The attempt renewed in after years produced the civil wars of Charles I.; and again it was found that toleration alone, and no universal identity of religion, must be the principle by which the Government of Great Britain should be regulated. The Toleration Act put an end to unity even in professions of religion. The orthodox Dissenters were let in, and then the persevering efforts of the Society of Friends obliged the Legislature to make similar concessions to them. The code was thus by degrees relaxed until the Unitarians, who had been excluded in previous concessions, were brought within the pale of the constitution. By the repeal of the Test and Corporation Acts, the barriers between Dissenters and the representation of the people were thrown down, though they had before that time managed to find their way into the House by means of annual Bills of indemnity. Then came the great measure by which Roman Catholics were admitted to share the representation of the country; and from that day up to the present time, the same principle of toleration and relaxation which dictated those measures prevailed in the Legislature. Where was the constitution of Great Britain to be found, if not in the characteristic features of legislative enactments continued through succeeding generations? They had no paper constitution, no pigeon-hole fabric of written documents. They must seek it in the great principles which evolved themselves in the history of our legislation. If they were to

take the definition of a great lawyer, who, on being asked what was the constitution, replied, "It was whatever was constituted," they would find it a most fluctuating and unsteady guide. But if they looked for it where alone it could be found, they would see it as something—not made by acts or statutes, but a principle of vitality growing up and expanding by degrees into the recognition of religious freedom and equality, and which, developing and evolving itself through our legislation, declared itself to be the principle of the constitution. The hon. Baronet, it seemed, did not consider that exclusion was punishment. There might be a class of men and of circumstances in which the proposition held; but it was scarcely applicable to any class of men who had intelligence enough to obtain, and moral feeling sufficient to appreciate, the rights and privileges of citizenship. Whenever any class or body of men arrived at such a point, they felt the wrong of having nothing to do with the laws but to obey them; and against that wrong they would not cease to protest until they were placed on a level with their fellow-subjects, who thus became their fellow-citizens. But the argument of exclusiveness was one which could not be forced into detail without becoming suicidal. The hon. Baronet the Member for the University of Oxford contended that the form of allegiance, or other affirmation, had been always administered on some Christian symbol; and to make out his case the hon. Baronet was obliged to look for his Christianity to certain "reliques," which at other times, and arguing on a different subject, the hon. Baronet would have treated with much less respect; and in which he would then have, most probably, seen a much closer connexion with paganism and superstition than with that which, in his conscience, he could not honour with the name of Christianity. But the question was not so much one concerning religious opinions, as one deeply connected with civil rights. It concerned much more nearly the civil disabilities of Christians, than it concerned the Jews. The Motion of the noble Lord would in effect go to remove a great Christian disability from the electoral body, and the constituencies of the country. The question really related to the partial disfranchisement of the city of London, and might be stated thus—"Have the electors a right freely to choose the person whom they would entrust with the defence of their interests in the House, or have they no such right, and are they mistaken in their attempts to exercise a free choice?" From the beginning of the present Parliament London had only had a portion of that share in the representation which had been awarded to her by the constitution, and which she had enjoyed through all preceding Parliaments. I cannot conceive (pursued the hon. Member) what other description can be applied than that of punishment to the fact that the city of London has not enjoyed its full share in the formation of those laws, the administration of which is so important to all classes of their fellow-subjects. And why? We are only continuing, you say, a form, but that form must come into collision with every class of the citizens of London; you are, therefore, by the continuation of that form, inflicting on them a punishment as much as if, instead of a negative act, it should be done by a positive proceeding, in the shape of a Bill of pains and penalties, brought in against the electors of the city of London, to force some particular individual on their choice. And although this diminution of their share in the privileges of the constitution has continued but for a short time, is it to supposed, if the House gives ear to the arguments lately addressed to it, and resolves to continue this restriction—is it to be supposed that the city of London will confess itself in the wrong, will retract its proceedings, will deny to Baron Rotchschild the honour it has awarded him, and will declare that he is not the person for their purpose, as they lately declared he was? I, Sir, do not understand the citizens of London if they will do any such thing; and I believe that the effect and the use of the forms and phrases by which that exclusion was accomplished, would only be to stimulate them to persist in electing and re-electing the man of their choice. I know the temper and spirit of this House too well to suppose that to speak of a collision with the city of London would in itself have much weight; and yet there has always been something very inexpedient in the controversies which have arisen between the representative body and the bodies represented. I do not think that those portions of the history of the House of Commons which relate to occurrences of this kind are such as its Members or its admirers can look back to with most pleasure. This House entered into a contest in the last century, not with the city of London, but with the county of

Middlesex, in the celebrated case of Wilkes and Luttrell; and although the county of Middlesex was far from having so clear a cause to uphold or so worthy a champion to support as the city of London has now, yet it showed a determination which in the end proved somewhat embarrassing; and I believe that the proceedings of the House in that case have been obliterated from its journals. An Irish county, at a later period, threw down, as it were, its gauntlet to the Legislature by the return of the late Mr. O'Connell; and, although he was considered as still under the ban of exclusion, notwithstanding that election, yet we all know the result, and that soon the scene was changed from one Roman Catholic member excluded, to as large a number included in this House as the constituencies of Ireland or of England chose to return. And however little there may be to apprehend from it, I fear there would be some ground for apprehension as to the peace and quiet of the country, and that it is a good occasion for the exercise of a prudential foresight on the part of this House, not to give occasion for the stirring up of agitation from such a question as this, which would make an important portion of the country feel that its sentiments had not been duly attended to, and that its voice had not met with due consideration. It may be said, indeed, that they ought to keep within the limits prescribed by the constitution for their choice; they may be told, as other constituencies have been told, that there are checks and safeguards which run through our whole representative system; but the exclusion of the Jews is a very different thing from any other exclusions that operate in the return of Members to this House. There are oaths, it will be said. But in the allegiance they propose, what is there but what every honest man and good subject feels equally binding on his conscience, without those oaths as with them? What is there that he would not hold his social and political duty, had those oaths had no existence? There is no exclusion there. As to the pecuniary exclusion, its practical operation does not appear very narrowing, and it is one which every man, starting on an honourable career of life, may have the hope of overcoming by the effect of his own industry; or any constituency, finding, as it believes, political wisdom in a pauper, may gratify itself by removing his pauperism, and sending him, with all external qualifications, as it believes him to have every internal qualification already. But the exclusion of the Jew is one of religion and of race. You fix on him an indelible brand. You cannot control his nature; you cannot legislate him into a profession of Christianity. His mind is not to be changed to these opinions; and as to his race, a Jew he is, and a Jew he must continue. He cannot un-Jew himself in order to get rid of his disability at the bar—of his exclusion, if it offers, from a seat in the Legislature. He might as well attempt to uncircumcise the corpses of his forefathers. I apprehend the hon. Baronet scarcely dealt very fairly in his appeal to Jewish authority regarding their claim of admission to the Legislature. I know no declaration which more bears the mark of truthfulness in its professions on this subject than that of Dr. Van Oven, who thus speaks:—

> "But I must protest at once against the employment of the term nation. There is no such thing as the Jewish nation. It is long since the Jews have ceased to be a nation, and have been (in the words of the sacred Scriptures) 'scattered amongst the nations of the earth' (Deut. iv.) Born in England of English parents, I acknowledge no other land as my country; no other nation as my nation. I avow the fullest and most devoted allegiance to Her Most Gracious Majesty Queen Victoria, and I claim to be placed on a just equality with Her other dutiful and affectionate subjects; and in this I express the feelings and sentiments of all persons professing the Jewish religion who have had the good fortune to be born Britons."

He goes on to speak of Jews, natives of foreign countries of Europe and America; the identification of their feelings and interests with those of the foreign countries to which they belong, showing the spirit of nationality in each case, and sympathy with the laws and constitution of the country in which they were born, and with no reference to any bygone nationality of their own, or hope of its remote revival. There cannot be a better exemplification of this circumstance than that in the battle of Waterloo many hundred Jews fought and perished in the ranks of the Prussian army, fighting against the very man who, in 1807, had convoked the Sanhedrim of the French Jews to Paris, had put questions to it to obtain a statement of their opinions which might show whether they were fitted for the rights of citizenship in modern Europe, and had founded proceedings thereon which gave a powerful impulse to the extension of the civil privileges of the Jews through all the countries of Europe. Yet the nationality evinced during the contest

showed nothing like an exclusive Jewish recollection of the privileges which had been conferred on that occasion, and which had led to the operation of a similar movement in other nations. I think another point had not justice done to it by the hon. Baronet the Member for the University of Oxford. He referred to Dr. Van Oven's declaration that this was not a Christian nation, and drew from this the inference that those who felt with him might exercise political influence and legislative power, if they required it, in a manner hostile to Christianity. It is easy to construct an argument or illustration by taking a phrase in one sense, which, if we look at the spirit of the context, must obviously be taken in another. The hon. Baronet's sense of our being a Christian nation is, that we are Christians in faith, in feeling, in spirit; that this is the predominant religion. Dr. Van Oven simply meant to deny the fact, which the hon. Baronet would certainly not affirm, that all the individuals composing the British State are professors of Christianity; he states a matter of fact, certainly without the least indication of any emotion whatever of hostility. If we were now commencing instead of advancing to the completion of the great experiment of toleration, if we were now in such a state as that one faith and worship were professed all through the land, and we were disposed to try whether a different system would not work well, I know no class of men with whom it would be so safe to begin that experiment as the Jews. They are essentially a non-proselyting people; they are a people who cannot come, like a dissenting sect or the Roman Catholic Church, into collision with the Established Church of this country; they can wage none of that warfare which distracts the different sects of professing Christians. They are men of peace, studying and pursuing the arts of peace. They have no secret societies, no religious orders, that may be supposed capable of disturbing the good neighbourhood of those amongst whom they dwell. They are simply the representatives of a race whose nobility, if illustrious character constitutes nobility, boasts a higher order and antiquity than that of others—to which our Normans, or even those Italian nobles who find their ancestors in the days of the Catos and Cæsars, are but things of yesterday. Their Bible is our Bible—their ancient saints and patriarchs are ours also; and if we ask where is the Jewish law of morals to be found, you may read it, not in the temple or synagogue merely, but in the tables of that law over the altars of our churches. Surely these are, of all people, those who may fairly claim to come first and foremost, instead of last, within the boundaries of the British constitution. I feel that, instead of hazarding the Christian character of the country by such a movement, we shall be asserting its Christian character; for every form in which that religion has blended itself with the deeds and with the glories of the country, has not been by the enforcement of opinions; has not been by the putting down of heresies; has not been even by magnificent efforts after extended proselytism. It has been in knocking off the fetters of the slave; it has been in respecting the rights of poverty and industry; it has been in measures which, by stimulating free and fair intercourse between different nations, bind them together in the bonds of peace. It has been not by exclusiveness, but by expansion; it has been, to use the words of a great poet, by England vindicating her ancient prerogative, of teaching the nations how to live. Such has been our national career, consistently pursued, which it remains for the Legislature to bring to its completion. And how much will it do towards that by removing every stigma, by abolishing the penalty, as must surely be considered, to men of honourable ambition, which prevents even the choice of constituencies like the city of London from taking their place within those walls, and declaring to them in a truly Christian spirit that the way in which we desire they should deal with us, is the way in which we shall deal with them—a nobler identification of Christianity with our constitution and laws than would be obtained by all the stern edicts, the fierce persecution, of the dark ages, however much they might succeed for a time in enforcing an apparent uniformity. I thank the House for the indulgence extended to me, which must be needed by any one who rises here for the first time, and beg to express my cordial thankfulness to the noble Lord at the head of the Government for the measure he has promised us.

Lord ASHLEY said, that the question then under the consideration of the House seemed to him to be very much a matter connected with the feelings and habits of each individual. It appeared that very few of the arguments were drawn from the ordinary sources of Parliamentary debates—that there was nothing to hope

either from success or defeat on either side—all seemed engaged in the assertion of a principle, without expecting that the event either way would be followed by extensive or immediate consequences. So far as he had been able to ascertain from his inquiries throughout the country, he should say that there were upon this question no intermediate opinions—that the feeling entertained was either one of great indifference or great earnestness — either a feeling very confirmed, or none at all. And here he begged to assure his noble Friend who brought forward this measure, that when he talked of the amount of prejudice entertained against the people in whose behalf he spoke, that the sentiments which prevailed at the present day had no resemblance whatever to the personal antipathy and contempt which were exhibited in the days of the Commonwealth, and in the debates of 1753. The Jews of the present day occupied a far higher position in public regard; and, he would add, in the affections of the community. The resistance to their claims was founded, not, as of old, upon personal objections to these remarkable people; but solely upon a conscientious adherence to a principle which they professed, and which they dared not surrender. He rejoiced at the tone, the temper, and the admirable spirit with which his noble Friend had introduced his Motion. He was fully convinced that it proceeded from deliberate conviction, and that his noble Friend's opinions and conduct were in strict harmony; he hoped, on the other hand, it would be conceded to the opponents of the measure that their opposition did not partake of a selfish or persecuting character—that their opposition rested upon the assertion of a principle which the advocates of the present measure said was too high for the administration of a free country. That was the point at issue between them; and he hoped that not only then, but during the whole course of the debate, there would be exhibited the forbearance and sobriety which became the consideration of that great subject. Now at the outset of his argument he must guard himself against a charge which might be made, and which had been made in writings and in preceding debates, and which had been somewhat indicated in the remarks of his noble Friend and in those of the hon. Gentleman who spoke last, of being a party to thrusting upon the House the consideration of theological subjects. He admitted that they ought to abstain from this as far as was possible; but he considered that some mention of theology was altogether inevitable. But the blame of this, if any, lay at the door of those who had introduced the measure, not of those who opposed it; and for this reason: the latter were standing upon a long established and ancient system—a system that till lately had never been disputed within doors or without. The former, on the contrary, were seeking to disturb an oath which had been taken at the table of that House for nearly 150 years, and they sought to do this upon the assertion that religion had nothing whatever to do with politics. Now, that statement put the opponents of that measure upon their mettle. They said that religion had a great deal to do with politics; and they said moreover that the advocates of the measure thought so. That they did think so was proved by their almost daily acts. That religion had to do with politics he might attempt to prove by reference to various quotations from the revealed word of God; but he wished to abstain from unnecessarily thrusting a variety of subjects of that kind upon the House. Upon this point he would only say that they were told most explicitly that "the nation and kingdom that will not serve thee shall utterly perish." He would say, moreover, that the condition of the people who were suppliants at the bar for admission to national and Parliamentary privileges, was the strongest possible proof that the truths of religion were actually identified with civil politics—because it was manifest that nothing but a departure from true religion was the cause of that their civil polity had been destroyed, and the people themselves dispersed over the face of the whole earth. But leaving this, he thought he could show by their own conduct that the advocates of this measure themselves thought that religion had a vast deal to do with politics. If it had not, why exact an oath at all at the table of that House? Why exact an oath from the Jews they were about to admit? Why did the Members of the Privy Council take an oath? Why make a reference to a superintending Providence in the Queen's Speeches, and in some of their Parliamentary enactments? Was it not perfectly clear that in doing these things they were recognising a moral Providence, a moral Governor of the world, who superintended, directed, and controlled human actions?—and, therefore, when they recognised a

superintending Governor, and a moral Providence, it was perfectly clear that they also recognised the necessity of knowing and acting upon his will. That House, too, as he had already said, were, by their daily actions, constantly declaring that which they were now about to contradict. This was the language of one of the most distinguished writers of the present day, as well as one of the most distinguished advocates of this Bill, he meant Mr. Macaulay, whose absence from the House everybody deplored as the loss of one of the most striking geniuses of the age. Mr. Macaulay, in one of his essays, said, "Government is, by its essential and inherent character, interdicted from contemplating and incapable of accomplishing Christian ends." He recollected perfectly well also hearing, from the same eloquent lips, the following language delivered in that House, "Everything that tends to lower Christianity in public estimation is high treason against the civilisation of mankind." How was it possible that these two statements could co-exist? What could so much tend to lower Christianity in public estimation as the declaration that Christianity was not to be the pursuit of every Government —that its spirit was not required to be infused into every enactment — that the Christian standard was not to be the only standard of morals they would adopt; that it was not to be the rule whereby they were to regulate the intercourse of nation with nation—the rule by which great States were to carry on their intercourse with weaker States? It was of no use to say these things were regulated by the law of nations; for he did not believe there was a single writer upon the law of nations who did not base his whole argument on Christian principles, and who did not strengthen his argument by instances drawn from the Scriptures themselves. If, therefore, the Legislature were to declare that Christianity was no longer essential to those who came there to make the laws of the land—that Christianity was no longer essential to those who held public situations, and made rules for public Government—he asked, could they do more to degrade Christianity in public estimation, and would they not be guilty of "high treason against the civilisation of mankind?" But the right hon. Gentleman (Mr. Macauley) went still further. He said, in the same essay, "To talk of essentially Christian Government is about as wise as to talk of essentially Protestant cookery, or essentially Christian horsemanship." Now the right hon. Gentleman, for the sake of a witticism, unworthy of his great genius and of his private and public personal character, had thought fit to use an expression which confounded the lower operations of the mind with the highest faculties of the soul, and reduced to the same level the spiritual and material nature of men. This was not the way in which this great subject should be handled. It was manifestly true, that there was no possibility of comparison between a Christian Government and Protestant cookery. They were no more capable of comparison than the steeple of Bow church and the 1st of July. Now, if Christianity could not do all this—if Christianity could not be admitted into public life, and could not be allowed to superintend and control public action and public principle—what was it that Christianity could do? His noble Friend (Lord J. Russell) had admitted that Christianity must prevail in private life—must rule in the domestic circle. [Lord J. Russell: And in legislation.] He could not comprehend how Christianity could govern their legislation if a large proportion of the Members of the Legislature were persons who not only doubted, but whose very distinctive existence depended upon the continued, the conscientious, and persevering denial of the name of Christ, and the precepts of the great Author of Christianity. How was it possible that Christianity could be in the ascendant in the Legislature—how was it possible it could predominate and infuse its spirit into the Legislature, when there were parties in that House who rejoiced in the avowal that they would do all they could to resist its influence? That it must influence private life was clear; and if so, it must be brought into public life also. ["Hear, hear!"] Then why not manfully avow it at once, because he never could subscribe to the new form of morality which drew a distinction between the private and public character of a man—between private and public dishonesty. He knew that his noble Friend had said that all those measures were altogether useless, because, he said, that under a system of oaths, infidels of various kinds crept into that House; and that oaths could not prevent persons most inimical to the Christian religion sitting there and exercising influence. All that might be perfectly true: but it must be recollected that although Gibbon had sat

in that House, and Hume might have sat there, they could only do so by coming to the table and professing their belief that Christianity was not only part and parcel of the law of the land, but the great principle which ought to govern and superintend human affairs. Nothing was gained in respect to the individual—for himself much loss—by such a profession; but he asked the noble Lord whether a nominal Christian was not better than an open professor of infidelity, and whether he would not say, in a parallel case, that the external observance of the laws of decency was far better than either obscenity or profaneness? The noble Lord had said, too, that the exclusion of the Jews savoured of persecution. Now he (Lord Ashley) could not see that it savoured of persecution, when the course which they (the opponents of the measure) took was not on account of any personal objection they entertained to those individuals, but simply and solely in reference to a principle from which they could not depart. The argument of the noble Lord from first to last went to this, that oaths were altogether unnecessary—that they produced no result whatever except to perjure the parties who took them. He must say that the argument of the noble Lord seemed to him extremely weak, because though it was perfectly true that they might have infidels coming to that table and taking the oath "on the true faith of a Christian"—was that any ground for abolishing the oath altogether? If so, transfer the argument to courts of justice. Had it never happened in courts of justice that persons were guilty of perjury; but was it ever proposed that therefore they should no longer take evidence under the sanction of an oath? Before summoning them to break down the barriers which excluded the Jews from Parliament, he thought that they ought to have been favoured with some statement of the absolute necessity for taking that course—some advantage that was to be gained by it, or some loss that was sustained without it—something, in short, to compensate for the great shock which would be given to the feelings and consciences of so many thousands of people. Now, he must say he had listened with great attention to the noble Lord; but he had not heard from him a statement of the advantages which the measure would secure — although he gathered from the noble Lord that he thought the honour of the country would be advanced by adopting his opinions. He confessed that if the noble Lord could have shown him that it was a case of justice, he would have been satisfied. This, however, he had not succeeded in doing. But supposing, for the sake of argument, that it was an injustice —was it a greater injustice to Jews than to the hundred other nations of every language and colour in the British dominions? At present their exclusion was considered no injustice by those parties to which he had just referred; but if the Legislature should declare that Christianity was no longer essential to their legislation in that House, the exclusion would become a real and substantial injustice. But perhaps his noble Friend intended to admit every body. Some years ago they stood out for a Protestant Parliament. They were perfectly right in doing so, but they were beaten. They now stood out for a Christian Parliament. They would next have to stand out for a white Parliament; and perhaps they would have a final struggle for a male Parliament. His noble Friend was too candid to conceal his ultimate intentions; but he would just ask him, before he proceeded much further, to consider that, according to the principle laid down by him, not only Jews would be admitted to Parliament, but Mussulmans, Hindoos, and men of every form of faith under the sun in the British dominions. [*Cheers.*] He (Lord Ashley) did not find fault with those cheers; because he thought they were the natural and necessary consequence of what they were now doing. But with reference to the justice of the case, he would read a quotation from the writings of a man who was a high authority in England, and particularly with the Gentlemen on the other side of the House. The following were the words of Dr. Arnold, in writing to the Archbishop of Dublin in 1836:—

"For the Jews I see no plea of justice whatever. They are voluntary strangers here, and have no claim to become citizens but by conforming to our moral law, which is the Gospel.—I would give the Jews the honorary citizenship which was so often given by the Romans, *i. e.*, the private right of citizens—*jus commercii, et jus connubii*, but not the public rights, *jus suffragii et jus honorum*. . . Every member of Christ's Catholic Church is one with whom I may lawfully join in legislation, and whose ministry I may lawfully use as a judge or a magistrate; but a Jew, or a heathen, I cannot apply to voluntarily, but only obey him passively if he has the rule over me."

Such was the opinion of Dr. Arnold, who certainly carried his opinions to the greatest possible extent. He believed he admitted no right whatever of imposing the smallest disability upon any professing believer of

any kind of Christianity, and that he carried his notions of church government to such an extent as to shock a great number of persons, both in the Church and out of it; but upon the question of the Jews his opinions were what he had just read to the House. It could not be denied that this Bill, if passed, would be a legislative declaration that for all purposes of public government, and making laws, and administering affairs, Christianity, as such, was altogether needless. He would not say that it was probable, but it was possible, that in that Parliament there might be a majority of persons of the Hebrew nation, and that they might assume and retain the helm of affairs; but, whether that was so or not, it was perfectly clear that the course they were about to take would be a legislative declaration that for all great public purposes Christianity was altogether needless. It was probable he would be charged with inconsistency for not having opposed the Bill of 1845, for admitting Jews to corporate offices; but he thought he could establish a valid distinction between executive and legislative functions. The Jew, in taking an executive office, knew exactly the terms upon which he took it. He knew that it was delegated to him by a Christian head, and that it must be executed for Christian purposes; he knew that he was bound by the law, and that if he neglected to administer the law, or if he administered injustice, he was exposed to the responsibility to which all public men were subject. But the case of legislative functions was altogether different. He came into that House perfectly free; he might act according to his own notions; he might endeavour to repeal old laws or make new ones; he might infuse into those laws his own spirit, and direct them to his own objects. Nor did he do these things under great responsibility, except at a time of great public interest on some popular question. With respect to this oath, it was said that it was not originally framed to exclude the Jews. He believed that was perfectly true, although there never had been a period in the history of this country, except for a short time, during which it was possible for a Jew to have sat in that House. By the Act of Supremacy—the 1st of Elizabeth, c. 1.—the words of the oath were, "God so helping me and the contents of this book." It was quite clear that a Jew could have taken that oath. But by the 1st of William III., they were required to take the Oath of Abjuration, which had always excluded the Jews. No doubt those oaths were not framed for excluding the Jews; and if the Jews were in that House at present—if they had always continued to sit there—he (Lord Ashley) would never have proposed a measure to turn him out. But there was a wide difference between proposing a measure to exclude them from the rights they now enjoyed, and repealing an oath that had been in force for so many years, and had been taken by all parties, and by the country at large, to convey to the world a declaration of Christianity on the part of the Legislature. He could not consent to abolish that oath, because in so doing he thought he should—he judged only for himself—be making a public declaration of the utter uselessness of Christianity for the government and superintendence of public affairs. And the noble Lord might rest assured that, turn it which way he would, and smooth it over as much as he liked, there were many thousands in this country who would view the Act in the same light. It might well be questioned whether it was taking a wise part, with a view to the happiness and the morality of our people, to declare by our acts, though we might attempt to qualify it by our words, that that great principle and doctrine was no longer to be predominant in the affairs of legislation. As far, then, as all these arguments went, he very much sympathised with the conscientious scruples of those who were opposed to this measure. There had been other arguments urged out of doors, to which the noble Lord had alluded, and he (Lord Ashley) would touch upon them only to say how little he concurred in them, and to show to those who were anxiously watching this debate that there was no line of argument which had not been considered. Many very conscientious persons objected to this measure, because they regarded the Jewish people as the authors of the crucifixion. Now, if it could be proved that the Jews now demanding admittance into that House were really the descendants of those who crucified our Lord, it would be matter of great doubt whether we had right or authority to take cognisance of that. But it could not be proved that these Jews in England were the decendants of those particular parties. Thousands of Jews never returned to Jerusalem after the captivity in Babylon; and the petitioners might be the descendants of those who were absent at the time of that great event. Now, he (Lord Ashley) hoped he had said nothing that could give offence to the Hebrew peo-

ple, collectively or individually. Such an event he should most deeply deplore, for he was not ashamed to confess that he regarded the very poorest Israelite with feelings akin to reverence, as one of the descendants of the most remarkable nation that had ever yet appeared on the face of the earth—one of the forefathers of those who were yet to play the noblest part in the history of mankind. The Jews were looked upon by many as a degraded, illiterate, money-loving race, fit only for the Stock Exchange or to take care of orange stalls. One of their advocates, Professor Maurice, of King's College, wrote thus:—

"I have no doubt that a Jew has great disqualifications for the office of an English legislator . . . . ; in the case of his being or his not being a hearty Jew, I cannot imagine that he will ever be a hearty Englishman. The strong passion will be an absorbing one. Whatever weakens it weakens his capacity for any national spirit. If, then, he has, as he is likely to have, a strong interest in the mere material prosperityof the country, he is almost certain to value that prosperity above the well-being of the creatures who compose it. Now if this be, as I believe it is, the mischievous tendency of all classes among us, of landowners and millowners, of Conservatives and Liberals, of Churchmen, Dissenters and infidels, we may reasonably seek to infuse some fresh and healthy blood into the system; we should not impregnate it with the habits of a race which, almost by the condition of its existence, must embody our present evils in their worst form."

He (Lord Ashley) should say very nearly the reverse of this. The Jews were a people of very powerful intellect, of cultivated minds, and with habits of study that would defy the competition of the most indefatigable German. Their literature extended in an unbroken chain from the days of our Lord down to the present time. [Mr. Disraeli: From far beyond that.] True, for the hon. Gentleman meant, no doubt, to throw into their literature the whole range of the historians and the prophets of the Old Testament. [Mr. Disraeli: Hear, hear!] But he (Lord Ashley) was speaking, not of the old Jews in their palmy days, but of the Jews oppressed and despised in their days of dispersion. Even thus, their literature embraced every subject of science and learning, of secular and religious knowledge. As early as the ninth century they took the lead in grammar and lexicography; and towards the end of the twelfth their labours in this respect formed the basis of everything that had since been done by Christian doctors. They had a most abundant literature in French and German, but especially in Hebrew; and the Jews presented, he believed, in our day, in proportion to their numbers, a far larger list of men of genius and learning than could be exhibited by any Gentile country. Music, poetry, medicine, astronomy, occupied their attention, and in all they were more than a match for their competitors, But the most remarkable feature in the character of the Jews in the present day was this, that they had discarded very many of their extravagant and anti-social doctrines. Their hatreds and their suspicions were subdued, and undoubtedly they exhibited a greater desire and a greater fitness to re-enter the general family of mankind. He should be asked, then, why, with all this belief of their merit, he hesitated to adopt the present measure? He was fully prepared to make every concession that could contribute to their honour and comfort; he offered no opposition to their being admitted to corporate offices; but when he was summoned, in obedience to a principle which from his soul he repudiated, (the principle that religion had nothing to do with politics,) to strike out certain words from the oath that asserted the truth and maintained the supremacy of the Gospel, he must at once declare that he could not give his vote for the admission of anybody to the high and most solemn functions of legislating in the British Parliament unless he professed to do so on "the true faith of a Christian."

Mr. Gladstone, who rose along with one or two other hon. Members, said: I regret to stand in the way of any other Gentleman who may be desirous to address the House; but I am quite sure that I shall not appeal in vain to its indulgence, when I refer to the fact, that my hon. Friend and Colleague the Member for the University of Oxford (Sir R. H. Inglis) has to-night presented the petition of that learned body against the projected measure of the noble Lord, and when I state, with deep regret so far as regards my relation to that learned body, that, not without pain indeed, but after full consideration, and with firm conviction, it is my intention, because I feel it to be my duty, to support the measure which we are now assembled to discuss. I will first ask the permission of the House to say a very few words upon the relation in which I stand to my constituents. I think hon. Members will concur with me, that there is some-

thing peculiar in that relation; that in ordinary cases of representation there is a palpable difference between the person who sits here and those who send him here; that he ought to be, and commonly is, their superior in mental cultivation and in opportunities of knowledge; and that it is an easy thing comparatively, under these circumstances, for him to act upon that which is undoubtedly the true principle of representation, namely, to follow the conscientious dictates of his own judgment, whether they happen to coincide in the particular case with the judgment of his constituency or not. But for me, Sir, the circumstances are very different. I have received the honour of being chosen to represent in this House a body, of which I gladly acknowledge that I must look upon the members of whom it is composed as being in ability, in knowledge, in all means of judgment which depend upon individual character, either superior, or, on the least favourable showing, equal to myself. But I am sure I shall be borne out by the concurrence of all who hear me, when I say, that fact will not absolve me in stifling the dictates of my own judgment and conscience, feeble as the first may be, with regard to what the principles of the constitution and the interests of the country may require. It greatly increases the responsibility attaching to error; but it does not in the slightest degree allow me to shift that responsibility by saying "it was your act, I did as you bid me." It leaves me bound, just as if occupying any other seat I should be bound, to take advantage of the position in which we are placed as Members of Parliament. I feel that here we have opportunities of judgment and of information in our own profession—for it may with some truth be called a profession—which others cannot have; and that I should be betraying my own plain duty to my constituents, if I were to succumb to their judgments in a case where I was conscientiously convinced that there was a better course to pursue. With regard to the positive arguments for the admission of Jews to Parliament, I shall be brief. The noble Lord has stated, and in terms satisfactory to me, nearly all that I think requires to be stated on this head. His doctrine with regard to the general fitness of the Jew for representation, and the hardship of refusing to qualified persons the right to sit in Parliament, has indeed been contested by the assertion that to withhold political privilege does not constitute a grievance. That is a proposition which I apprehend can neither be affirmed nor denied in universal terms; it must be judged by the circumstances of the case. We are bound to inquire whether there are substantial causes of disqualification, which oblige us to draw a distinction between one class of citizens and another class *primâ facie* entitled to occupy the same position. If there are strong and adequate causes incapacitating parties for the performance of certain duties, then to withhold from them political privileges does not constitute a grievance; but if the opponent can show no such powerful and substantive reasons—if it is admitted that the parties are competent for the duties which it is proposed that they should discharge—then, I say, in that case it is true, and it must be affirmed, and must be reiterated in the face of any abstract doctrine to the contrary, that to withhold political privilege does constitute a grievance. And further, after a presumptive case of general competency is shown, the burden of proof must lie entirely with those who seek to defeat the claim. Now, how stands the case of the Jew? How stands his case now, with regard to those points which tell in his favour? My noble Friend (Lord Ashley) has just delivered a speech, like all speeches which he delivers here, in which weight of character and weight of talent were remarkably combined; but when I listened to a part of that speech, in which, towards the close of it, he exposed the misapprehension that prevails with reference to the character of the Jews as a people, and described their remarkable qualities and their great capacities, I will not say that I asked myself whether my noble Friend was not involving himself in an inconsistency, but I could not fail to see—and he, I am sure, could not fail to see—that he was, at the least, greatly and powerfully adding to the force of the arguments, drawn from the considerations of civil right and of social justice, by which the admission of Jews to Parliament is recommended. He told us of their powerful intellect, of their cultivated minds, of their ancient and continuous literature, in every department, embracing every subject; he spoke of their indefatigable diligence, which outstrips even German assiduity; he said they had among them a greater proportion of men of genius than any other race; he stated that they had discarded many of their extravagant and antisocial

doctrines, and had become much more fit to be incorporated in the framework of general society. He did not allude to another point, but it is one with which we are all familiar, namely, their intelligence, and activity, and success in many of the pursuits of commerce and of industry. Thus much then I say—that at least the civil and political argument in favour of the admission of the Jew, though I will not yet assume that it is to override every ether consideration, is as strong as the civil and political argument can be; and if you are obliged to withhold from him, on account of principles peculiar to you, those privileges to which he thinks that he has a claim, the grievance in his case will mount as high, according to the general principles applicable to such a subject, as it can mount in any case of a class excluded from general duties on partial grounds. Now, Sir, I must confess, that, when I consider my own position, as having the honour of representing the University of Oxford, with respect to this question as a question of giving or withholding certain civil privileges, I feel not a greater reluctance to give because I have that honour, but a greater reluctance to withhold. I feel a very great reluctance to be the instrument, even in my own small measure, of placing the University in conflict with the civil privileges and civil rights, if such they be, of any portion of my fellow-subjects. I do not scruple to confess a feeling which I deeply entertain: I think that we have too indiscriminately and too long pursued that policy; and, further, when I review the position in which we stand at the present moment, I, for one, am not satisfied with the practical results which it has produced. But I pass on to what I grant must be the cardinal and the overruling considerations in this case; I mean the considerations connected with religion. My noble Friend (Lord Ashley) has discarded—and justly too, as I think—the argument drawn from the supposition that the Jews are a separate nation in such a sense as to be disqualified from the performance of civil duties; he says—and he says justly—that he stands upon a conscientious adherence to principle, and that the principle of religion. And now let me consider the way in which my noble Friend has associated that adherence to principle with the vote which he proposes to give. He said, that he was about to contend for the maintenance of a long-established and an ancient system; but shortly after he had told us that the system for which he was about to contend was a long-established and an ancient one, he likewise told us—and told us, I think, with truth—that we have been for many generations in a state of perpetual conflict and of constant change, of progressive movement, all in one and the same direction. He told us that we had to contend, first for a Protestant Parliament, and now for a Christian Parliament. But I submit to him, that he ought to have begun earlier than that, because the first contest of all was a contest for a Church Parliament; and the battle for a Church Parliament, fought between the period of the Restoration, when in point of fact formal dissent began, and the period of the Hanoverian succession, or perhaps I should say of the Occasional Conformity Act, was as fierce a conflict as any of the others. Even after Nonconformity had received the sanction of the law by the Toleration Act, it was still attempted to dislodge or to exclude the Nonconformist from the possession of political power. It appears, then, that you first contended for a Church Parliament—you then contended for a Protestant Parliament; in both cases you were defeated. You were not defeated unawares; you were not defeated owing to accident. You were defeated, owing to profound and powerful and uniform tendencies, associated with the movement of the human mind—with the general course of events, perhaps I ought to say with the providential government of the world. And when we plead and argue upon the British laws and the British constitution, I really must ask with the hon. Member for Oldham (Mr. W. J. Fox) what right have we to fix upon some one particular period, be it fifty, or one hundred, or two hundred years ago, and to say, "I will take the basis of that particular period, and I will say there begins, and there ends, the British constitution?" On the contrary, I say that the very same principle which makes me regard Magna Charta as a part of the British constitution, the same principle which makes me regard the Bill of Rights as a part of the British constitution, and the Act of Uniformity, and other Acts—I do not mean to say as all equally important in all their provisions, but all forming material parts of our constitutional system—by the same principle, I think, in general justice, whether I like them or not, independently in a degree of personal opinion, we who meet here in 1847 are bound to recognise to a great extent as facts those

laws which have fully and deeply entered into the political system of the country, which hardly any one desires to change, which no one attempts to supersede, which we all on coming here profess to accept, and which I think we are bound to assume as *data*, as fixed points, in our discussions, and therefore to apply and develop in the spirit of fairness and justice. It appears, then, we have now arrived at a stage in which, after two or three generations had contended for a Church Parliament, and two or three generations more contended for a Protestant Parliament, each being in succession beaten, we are called upon to decide the question whether we shall contend for a Christian Parliament. And here I must say, that my noble Friend (Lord Ashley) has made assumptions, which, if he could establish, I, for one, should not be found voting against him; and, I may say, not I alone; since certainly, so far as I understood the noble Lord who opened this debate in an impressive address, the same may be said of him. I thought the assumptions of my noble Friend with regard to the views of the promoters of this measure entirely inconsistent with the statement of the noble Lord—I mean as they respect the relation between religion and politics. My noble Friend says, that we are asked to make a public declaration that for all purposes of government and the making of laws Christianity is needless. Certainly such was not the doctrine of the noble Lord (Lord J. Russell); and I must say, without, of course, impeaching the candour of my noble Friend, that I think he has put an extreme and a strained construction on the sense and spirit of the measure itself. I do not think it amounts to what my noble Friend has said of it; I do not think it does establish a severance between politics and religion. I think it amounts to this—it amounts to a declaration on our part (if it shall pass), founded on the whole circumstances of the case, upon our view of the actual state of our laws and of the society in which we live, its composition, and its temper, that there is no necessity for our absolutely excluding the Jew, as such, from an assembly, with regard to which assembly every one of us in his own conscience feels perfectly sure—as sure as man may venture, without presumption, to feel upon what is future—that the vast and overwhelming majority will long, will, as we trust and pray, always, continue to be Christians. The discussion, therefore, in which we are engaged does not turn upon the question whether the Christian religion is needless for the work of government and of legislation. It must first of all be shown that the admission of an extremely small fraction of Jews into Parliament would paralyse and nullify the Christianity of all those who sit there. We may consistently affirm that Christianity is in the highest degree needful for our legislation, and yet decline to follow out that proposition to a conclusion so rigid as this, that every individual who is not a Christian should be excluded from the possibility of becoming a legislator. I think my noble Friend had a latent consciousness that these two ideas were entirely distinct, for he evidently conceived it to be necessary for the support of his argument that he should assume the case of a very large number of Jews in Parliament. How, he asked—for I took particular notice of his words—how can the principles of Christianity govern the Legislature if a large portion of it should be composed of Jews? and in another place he assumed the case of a Hebrew majority. But I say, that practically it is not the question what would follow from having either a Hebrew majority or a large number of Jews in Parliament; because none of us believes that, within any fairly calculable results of this measure, there will or can come any thing more than the admission of a few solitary Jews to Parliament, leaving the rest of that body exactly as it stands at present in respect to its religious profession. I believe, then, I may say that the connection between religion and politics is not only not denied by the noble Lord, but that he emphatically asserted it; that he asserted that there was no department of duty in which the motives of the fear and love of God ought not to govern; and that you could draw no distinction in that respect between domestic or private duties, and civil or political or public duties. But my noble Friend appeared to me, I confess, (though I am very anxious, like him, to avoid introducing into this discussion topics of a theological character), to attribute too much of substance, and of efficacy, I must say, to the bond which is constituted by a profession of the Christian name, defined by the individual to himself alone, not embodied in laws or in institutions, or in religious communion of any kind involving necessarily the avowal of any body of fixed truths—he appeared to attribute too much to a bond of that sort when he said,

"I will take that nominal profession as my criterion and my standard, and I will affirm that all who profess that name are fit for the exercise of civil duties, and that every man who does not consent to bear it is unfit to be admitted into Parliament." I think that he laid greater stress upon such a test than it will bear, though I certainly would not undervalue it, or anything which tends in any manner to connect us with the profession of Christianity; still, I think that on religious grounds it would be very difficult for him to prove the unfitness of a Jew for the duties which it is proposed that he shall discharge here, without also proving, by pretty sure implication, that many of those who sit here already, not as individuals but as classes, are therefore unfit for those duties. If, therefore, I admit that we are called upon to give up the exclusively Christian character of the composition of Parliament, yet, in saying that, I perhaps make a larger concession to the opponents of the measure than should in strictness be made, because the only kind of Christian character which this measure requires us to surrender, is one depending on a title not defined except by the feelings of each individual for and to himself; it is one which implies little more than the most vague, and naked, and generalized acknowledgment. I am quite aware, indeed, that the question as I have now described it, the question whether we shall, under the circumstances of the present time, open the doors of Parliament to Jews, whom we expect to enter them not in mass but only by units; whether we shall dispense in their case with that reference to a Christian profession which, as we now have it, has no relation to any defined standard external to the individual mind; that even this is still a very important question, though it is different from that which we should have to decide if we could rationally anticipate as possible any large number of Jews in Parliament, and still more, from what it would be if the title with which in one sense we are now to part were a title indicating concurrence in a fixed body of revealed truths. Now, I can well believe that to many, and I freely allow that to myself, it is painful thus to part with even the title of an exclusive Christianity, inscribed upon the portals of the constitution. Yet to qualify this title as we are now asked to qualify it, to surrender it as an universal and exclusive title, is not to deprive ourselves of such substantial Christianity as we may really now possess. Advantage is not unfairly taken in debate of a word; but when it is said that we unchristianise the Parliament, while it may be true in name—and I would not deny it—I must ask is it true in substance? I could not help being struck, and I confess I could not altogether repress a smile, when, with indignation evidently the most unaffected, in an earlier part of this evening, my hon. Friend and Colleague (Sir R. Inglis) rebuked Dr. Van Oven for denying in the pamphlet which he has just published on this question that we were a Christian nation. Dr. Van Oven denies that we are a Christian nation because there a few Jews in the nation, and my hon. Colleague is very angry with him for denying it; and yet what is now proposed is to admit a few Jews into Parliament, all the rest of the body of Parliament remaining Christian; and I am afraid my hon. Colleague would be as much displeased with any one for asserting the Christianity of Parliament as he was with Dr. Van Oven for denying the Christianity of the nation. Yet the circumstances are exactly parallel. If we are now a Christian nation, we shall even after removing the disabilities of the Jews be a Christian Parliament: if it be true that we must then cease to be a Christian Parliament, it is also true that we are not now a Christian nation. Sir, I think that Parliament will continue to derive its character mainly from the personal character of those who elect and of those who compose it. And I must say, with regard to the speech of the noble Lord (Lord J. Russell), that when he spoke of oaths and declarations as affording insufficient securities, I certainly did not understand him to signify—and I trust he did not intend—that they were to be looked upon as altogether worthless, and to be discarded from our use, but that we were not to place upon them an exclusive reliance, and that we were to depend more, after all, upon the qualities of men than upon the letter of any regulations we could establish. [Lord J. Russell: Hear!] But I confess I should perceive in this Motion a liability to very great and grave objections—indeed, it would even assume in my eyes the character of a practical grievance to us—if I thought that it was the intention of the noble Lord to propose that our position, the position of us who are now exclusively entitled to sit here, should be in any particular altered by the measure which he proposes to introduce. I hope his purpose is, that we shall con-

tinue to discharge the very solemn duties committed to our care under the sanction of the very same oaths and declarations which we now take; that we who are Christians shall continue to give the greatest degree of solemnity that is possible to our entrance upon our public functions, by continuing to contract our obligations as now "upon the true faith of a Christian." I trust that nothing can be more idle than the anticipations of those—I have not heard them mentioned in this debate, but they are current out of doors—the anticipations of those who apprehend that, in consequence of the admission of some two, or three, or four, or six Jews into Parliament, that devout and seemly custom, whereby you, Sir, as our head and formally appointed representative, and all of our number who are present with you, at the moment, when you first enter this House, offer up your daily supplications to Almighty God for light and for guidance in our deliberations, is either to be abandoned,or its continuance in the slightest degree endangered. I must confess, I feel, for one, that if it were so, then this would become a question, not between considerations rather of an abstract character on the one hand, and practical grievance affecting the Jews on the other, but of practical grievance affecting a very small number of Jews on the one hand, and of practical grievance affecting a very large number of Christians—I mean all those who now sit here—on the other. I have, therefore, endeavoured to show, that the assumptions with regard to the real and constitutional meaning of the law which it is proposed that we should pass, are assumptions not duly founded in the true nature and character of the measure. But there are others who make objections to this measure in language much stronger than my noble Friend. If we have not yet been told, we must prepare to be told out of doors, and probably in this House, that this is an anti-Christian measure, and one which will draw down upon us the judgment of the Almighty. Now, with regard to such arguments, I admit the extreme difficulty of touching them at all, because one cannot deal with them with the reverence which is due to the awful name they seem to invoke against us, and at the same time with the freedom which belongs essentially to our common discussions. But this I do say, that if it be true that civil justice requires the admission of the Jew into Parliament, and if it be untrue that you can show any insuperable difficulty of a practical nature in the work of legislation, or any grievance to any other class of the community, as the consequence of his admission, then this question, so far from being, as I think that my hon. Colleague seemed to call it, a question of expediency, is, in the highest sense applicable to a political question, a question of principle as contradistinguished from one of mere expediency; and that in proceeding to render no more and no less than justice to any class of our fellow-subjects, be they called by what name they may, I can have no fear of drawing down upon our heads the vengeance of the Almighty; nay, on the contrary, I must entertain a very much more serious fear in that respect, if, because of the influence of prejudice on our own minds, or from the apprehension of clamour and the displeasure of others, to which my honourable Friend so emphatically referred, we refrain from doing that which we believe to be right. But again, Sir, I must proceed to observe, that even if we allow that under certain other circumstances such an argument could properly find place in the discussion, it is now too late for us to have recourse to it. If the concession of power to the Jews be, which I do not admit, an act involving us in such heavy guilt, we cannot be content with simply alleging this as a plea against the present measure; we must look back upon all which we have already done, and which, it may likewise be observed, no one proposes to undo. Perhaps it is more fit for me than for any other person to invite the House to this retrospect, because I have before urged upon its attention the close and indissoluble connection between the measures which you have already passed for the advantage of the Jew, and the measure which you are now invited to adopt in his favour. In the year 1841, opposing the Bill then introduced by the noble Lord (Lord J. Russell) for the admission of Jews to municipal offices, I argued, and I founded my opposition upon the principle, that no broad or clear line could be drawn between their eligibility for what was then in question, and their eligibility for Parliament. And now let us consider how far we are bound by the equitable consequences of what we have already done, or how far it leaves us free to employ the religious argument against the present measure. My noble Friend draws a distinction between executive and legislative functions, and I grant, in certain respects, a just distinction; but

at the same time, although in this place we may commonly look upon the name of municipal office without any very lively sentiment of veneration, yet what does it involve? It involves the magistracy; it involves the performance of judicial duties; it involves the administration of laws which are Christian laws, founded upon and made conformable to the principles of Christianity; and I cannot find a breadth of standing ground for my foot which will enable me on the one hand to say that the Jew is fit for the solemn administration of those laws, and for the administration of Christian oaths to Christian men, and yet upon religious grounds is absolutely unfitted to enter this assembly. But further, the distinction of my noble Friend, though it was drawn with great force and ingenuity, I am of opinion will not sufficiently avail him, even if it be admitted without any restraint. Executive offices, he observes, and even judicial offices, are discharged under the strict observance of the public eye, and any abuse would be corrected by the operation of the power of public opinion; but I must call upon the House to remember that they are not executive offices only to which we have admitted the Jew. What have you to say with regard to the franchise? You refuse to admit the Jew to this House, because they who sit here are the makers of laws; but I ask who are they that make the makers of laws? It is from a periodical return to its mother earth, that this House derives its life and vigour. From thence are drawn the new materials that are to qualify or to replace the old. This House may be the chief organ of power, but it is undoubtedly not its fountain; it advises the Crown, it represents the people, and in the constituency must be sought the source of so much of the authority of the State as we possess. But to that constituency, to that primary function of electing, a function not executive, a function the least of all subject to responsibility in the sense of my noble Friend, Jews have already been admitted. And yet if we are asked whether the constituency of this country be a Christian constituency, I, for one, am ready to answer yes. It is composed generally of Christians; and no man, as a voter, is in any degree precluded from recognising the command of his Christian principles over him in the determination of his vote, because the Jew stands by his side. If his Christianity be worth anything at all, he must carry it with him to the hustings; in discharging his duty there, he must first have asked himself what his obligations to his God and Saviour require of him. I am certain my noble Friend will not argue that the constituency has ceased to be a Christian constituency, because there are here and there a few Jews interspersed through it; and unless he is prepared to argue thus, I trust that he will share in my consolatory belief that Parliament will not have ceased to be a Christian Parliament, because some few Jews may have been admitted into it. I certainly, after all that we have done for Jews outside the doors of Parliament, and for others within them, am content on the ground of policy, content on the ground of justice, to admit them, and for the future to trust the Christianity of the Legislature, under God, to the Christianity of the nation. Again, Sir, my noble Friend proceeded to quote the authority of Dr. Arnold, who entertained a strong opinion against the admission of Jews to Parliament. I cannot wonder that the opponents of the measure should seek support from such a quarter. There were few men who would address their minds to the consideration of any subject with greater energy than Dr. Arnold, or with greater or even equal sincerity of purpose. But I apprehend that his view of this particular question stood related not to the strength of his mind, but to its weakness. Most excellent and most able as he was, yet, like many other men of remarkable and rare ingenuity and of true enthusiasm, he had his own theory which he idolised, which it was the dream of his life to rear into actual existence, and with respect to which no experience could avail to undeceive him. He considered that in a Christian country the State and the Church ought to be regarded as one; the State belonging wholly to the Church, and the Church belonging wholly to the State. He viewed ministers of religion as officers of State, and officers of State as ministers of religion: and he held that there was no distinction between them, except the incidental one of the subject-matter upon which they were respectively employed. But with this strict idea of the State as Christian he combined an idea of Christianity relaxed in such a manner that, according to him, certain general truths assumed to be common, and capable of separation from what is peculiar to different Christian persuasions, ought to be embodied in a living and working system. He was

indeed perplexed, even in speculation, with certain exceptions which met him at the outset, such as the case of Unitarians on the one side, and of Roman Catholics on the other. Notwithstanding, however, flaws and discouragements such as these, he laboured, as Mr. Stanley has explained to us in that most interesting work, his *Life of Dr. Arnold*, to reduce to form the idea which he had conceived in his mind of a Christianity which should comprehend in one many of the now separated persuasions, and which should then be embodied as a principle, and as a test, in the constitution of the London University. He laboured, as may be easily believed, without success; but likewise, if I remember right, without despair, at least without the abandonment of his views; and his opinion, that the Jews should be excluded from Parliament, was an opinion entertained by him, not with regard to their separate case upon its own merits, but rather, I think, as necessary to the integrity of this favourite, but very peculiar and arbitrary theory. I, therefore, must be allowed to urge, that the weight of Dr. Arnold's opinion in this case must be measured by the practicability of this particular idea, and not by the authority generally belonging to his judgment, that is to say, upon questions where he had no special bias or notion to mislead him. There is, however, another point in the argument to which I must return, as I have only noticed it hitherto in general terms: whereas its bearing upon the present question is, in my view, of the very highest importance. It is alleged that we are now going to make a change in the constitution which involves the essence of Christianity; that what the constitution hitherto has required of us is not merely that we should denominate ourselves Christians, but should make our solemn declaration "upon the true faith of a Christian;" thus implying that each of those who so declare really embraces that faith, and that, therefore, according to the view of the constitution, all Members of Parliament are agreed in the recognition of a fixed body of revealed doctrine, distinctly indicated by those words. From the mere words as they stand, I at once admit, it is by no means evident that they were intended to include all persons that could simply call themselves Christians; nay, that they were not so intended, and did not include all such persons. But we must read the sense which the declaration now bears, in the light of subsequent history; we must observe what successive Parliaments have done, in order to adapt the law to the altering circumstances of successive periods, and must give to their measures their full breadth of meaning. After Nonconformity had taken a definite shape in this country, it obtained a legal toleration; Nonconformists entered into Parliament by a sufferance which gradually came to be all but a right, and which received full constitutional sanction as a right in the year 1828. Among those Nonconformists, almost from the first, there were Unitarians. True they had their whole civil existence for a long time by sufferance; only by slow degrees they too obtained a recognition; and I apprehend that from the year 1813 the law ceased, as practice had long before ceased, to draw any distinction between them personally and other Dissenters. I say personally, not entering into the inquiry what view the law may even now be thought to take of their creed, as distinct from the persons professing it. Now, Sir, as these concessions were not extorted by fraud, or surprise, or force, but were granted one after another by Parliament, with its eyes open to their significancy and their consequences, I cannot lay it as a charge against the conscience of the Unitarian, that he uses, in reference to his belief, the words which we too use at that table with regard to ours. Whatever may have been their original view and meaning, I think myself bound most unreservedly to admit, that Unitarians act according to the spirit and the intention of our laws, when they adopt those expressions for themselves, as applicable in their mouths to their own religious system. But if, as I think, the constitution, so to speak, is satisfied with the sense in which they are thus employed, then I conceive we cannot dispute that it has altogether ceased to require of us the recognition of any fixed standard or body of Christian truths as an indispensable element of fitness for legislative duties; that we are not now tied by it to hold anything which can in serious reflection be called by us unitedly "the true faith of a Christian;" and that therefore the measure of the noble Lord at the head of the Government is not open to the objection which would lie against it, if it could really be shown, that, in order to meet a case of limited extent, we were about to make a great substantial change in the religious character of the constitution, and in the capacity of the great mass of those who act under it. Passing on,

Sir, from the objections which I think either unreal or at best inapplicable, I now come to one of which I admit the reality and the relevancy, though I do not admit its sufficiency to warrant the rejection of this proposal. I hope the House will bear with me while I touch for a short time upon the topic, in my view of very great importance, of which no notice has as yet been taken in this debate. I am most reluctant to introduce into it any element that can even appear to be foreign to its scope, or not remotely connected with it; but I am certain of the general assent of those who hear me when I say that, as being sent here jointly with my hon. Friend and Colleague (Sir R. H. Inglis) to represent an University, to represent a constituency so much connected with the national Church, and comprising so large a number of its ministers, I should betray my most especial and solemn duty, were I to give my assent to this measure without having endeavoured to consider very maturely its whole bearings upon the interests of that Church; I will add, without having satisfied my mind that its adoption ought not to work them injury. I say then, Sir, that there is at least one real difficulty attending the admission of the Jews into Parliament; that which arises from the mixed nature of the functions we are brought here to discharge. So long as many matters relating to the Church, and some also relating to the Christian religion in a more general sense, are liable to be discussed and decided here—so long as we continue to bear the character of political guardians of the Church—there is, as far as these facts extend, a real and practical difficulty attending the admission of Jews to Parliament. This being granted, I must ask myself what is the amount of that difficulty, and are there any means by which it can be obviated, short of that extreme resort, the rejection of this measure? And first, as to the amount of the difficulty, I confess that I have not any great apprehension of practical evils to arise from the actual interference of professors of the Jewish religion in such legislation as may directly or indirectly have to do with ours. Because I know that, in the first place, the good feeling of each individual as a judge of what is becoming or otherwise, for himself; and, in the next place, the influence of public opinion operating both within and without these walls, will do much to restrain any interposition in matters relating to the Church on the part of those who, on account of religious differences, can have no natural and sufficient interest in them. We have seen that feeling operate not unfrequently in this House since the Acts of 1828 and 1829. When a question of the internal affairs of the Church is under consideration here, it is not an uncommon thing to hear Gentlemen, who do not belong to her communion, say, that they do not look upon it as a matter for them to be concerned in, and that they think it more becoming to leave the discussion to those who may be supposed to feel a religious and an appropriate interest in it as members of the Church. And many act upon a rule of this kind without the formal expression of it. If this has been the case heretofore among us, constituted as we now are, it is reasonable to expect that it will be still more the practice if Jews should come to sit among us. While, therefore, I do not deny that a practical anomaly or difficulty presents itself, I also think that considerations of the class which I have mentioned, go a great way to diminish and reduce it. But at any rate I must look at the alternative; and, with the views I entertain of the strength of the political claim of the Jew, I find a much greater practical anomaly and difficulty to follow upon holding such language as this—that after all which has taken place, I will, because a certain portion of the duties of Parliament are directly related to the Christian religion, exclude the Jew from the performance of all those among its duties which are in their first aspect secular and civil. I am by no means of the opinion that differences of religion have no bearing upon the discharge of political duties of whatever class: I do not hold that all men, whatever their religious creeds, are equally qualified for those duties: I look upon a right religious belief as among the elements of competency for them. But this is in itself a question of degree, and as such the constitution regards it, because it has already recognised a sufficient competency in persons of various creeds for the duties of Parliament and of all offices; and also the competency of the Jew for every civil duty and privilege, except only seats in Parliament, and the holding of certain offices. Such then being the case, I have the utmost reluctance, upon the sole ground that the functions of Parliament are sometimes conversant with matters of religion, to exclude the Jew from any share in all those other functions that belong to the Legislature, and with which it is princi-

pally occupied; such as relate to taxation and finance, to trade and industry, to the defence of the country, to the administration of justice, to humanity and philanthropy, to the redress of grievances, to external and colonial relations, and to all the multitude of subjects, defying complete classification, that are brought before us from time to time. But still, Sir, the question, as I have endeavoured to limit its practical bearings, the question how, under the successive changes already introduced, or likely to be introduced, in the religious composition of this House, the relations of the Church to the State are to be governed, is one which excites a great and increasing interest, a deep and just anxiety, among the clergy and the members of the Church of England. In illustration of what I have said, I may refer to a published letter which I have recently seen, addressed to the noble Lord, by the Rev. Mr. Trevor, a clergyman, I believe, of known abilities, and of no less indisputable moderation, who nevertheless it is evident feels keenly, as he also writes warmly, upon the difficulties in which the Church, and the clergy in particular, are placed under a course of legislation which successively infuses into the composition of Parliament new elements, having no sympathy with that body, and in no relations towards them, such as those which are created by identity of religious communion. I have a more recent result and token of this sentiment among the clergy, in my hand, in the shape of a petition which has been forwarded to me for presentation to this House by a dignitary of the Church, a person of high character, and of distinguished talents—I mean Archdeacon Wilberforce, whose brother occupies a yet higher station as Bishop of Oxford. In this petition, Archdeacon Wilberforce takes a summary view of the altered position of the Church in regard to the Legislature and to the expectations she may naturally entertain from it; and then he comes to the further alteration, which, as he had understood, the noble Lord opposite was to propose. He says that in the present state of public opinion, and having regard to all that has already been done, he is not prepared, whatever his own sentiments or predilections as an individual might be, to offer objection to the removal of the Jewish disabilities: but then he prays that before we take this new step onwards in the career which we have now for a long time been pursuing, we will pass a Bill for the repeal of the Statute of the 28th year of Henry VIII. chap. 17, relating to the election of bishops, inasmuch as he conceives that Parliament will, in consequence of such a measure as that now before us, cease to be a Christian Legislature. Now, Sir, it will have appeared from all that I have said, that I do not take the same view of the character and effects of this particular measure as Archdeacon Wilberforce: neither do I think that the anomaly which he points out, is one that we ought now to proceed to remove by the repeal of that Statute of Henry VIII. But I perceive the difficulty; and although I am reluctant to entertain the idea of meeting it in such a mode as the particular mode which he suggests, yet I refer to his petition as illustrating a sentiment which is widely spread, and which may spread yet more widely. Indeed, for myself, I cannot hesitate to say, that from the general course of events, and in particular from the changes which have been introduced, and which are now proposed in the constitution of the Legislature, a very great degree, an increased degree, of delicacy and caution has become necessary in the management of its relations with the Church; and that the want of that delicacy and caution, and of kindly and considerate feeling, would in all probability lead to very serious ulterior consequences; I mean that it would have the effect of producing throughout the country, among the clergy, and among all the more seriously attached members of the Church, a desire for what is termed organic change in the connection between the Church and the State. I use the phrase organic change to distinguish what I now have in view, from changes not cutting so deep, from practical and administrative improvements. Now I do not know whether there are any persons in this House—if so, they must be few and probably of extreme opinions—who contemplate and desire such organic change in the connection between Church and State. If there be such, I am not one of them: I am deeply anxious to obviate any demand for changes of that nature. Yet I feel that there is a great difficulty, pressing seriously upon the consciences both of lay members of the Church and of clergy, from their becoming more and more alive to a want of active sympathy between the Parliament and the Church, and to the slow and unsatisfactory mode in which the internal affairs of the Church are apt to be despatched amidst the pressure of our other

engagements. The solution of this difficulty, which I should greatly prefer, is as follows: and in what I am about to say I beg most frankly to assure the noble Lord opposite, that I desire to convey no allusion to current events, for if I thought it right to introduce on this occasion any reference to them, I should not merely insinuate an opinion, but should state directly and broadly whatever I might have to urge: this, then, is what I desire, in the interest of my constituents, and in the interest of the Church, that as you continue from time to time to admit among you those who cannot justly be expected to have sympathy with the laws and the spiritual purposes of the Church, you should likewise recognise and act upon the principle, that a consideration for the clergy and the other members of the Church as such, a disposition to attach weight to their feelings and views, a regard to them as a body, having like the members of other religious bodies conscientious convictions, and entitled to have those convictions respected, should influence Parliament in the exercise of its legislative powers as they bear upon the affairs of the Church, and should also influence the Ministers of the Crown in the exercise of those very important executive powers of patronage or otherwise, which fall to them in that capacity. I think myself entitled to believe, that Parliament is disinclined to extreme views, of whatever kind, in regard to the affairs of the Church. A time might possibly arrive when it might be otherwise. If there should be any rapid or violent movement of the popular mind, or in some season of temporary excitement —however improbable such contingencies may justly be considered—a majority of this House might possibly be disposed to pursue a severe and hostile policy towards the Church, and might also incline the Minister of the Crown to act in a similar spirit. I cannot but express it as my most solemn conviction, that the adoption of any jealous, aggressive or coercive policy of that kind towards the Church, would be attended with the most deplorable results. Throughout a great part of the last century, there was, not indeed an active or violent antagonism, but a fundamental want of harmony between our civil and our ecclesiastical institutions; political influence went one way, and the dispositions of the clergy, and of most persons who were zealous in the religion of the Church, the other. What was the consequence? It was a total relaxation of discipline; the ties of affection which should unite bishops with their clergy, and pastors with their flocks, became more and more feeble; there was a rapid and perpetual decline of religious activity; and the scandals of the Church (which of course are not to be regarded as those of the clergy alone) became at length gross and notorious through the Christian world. When the French Revolution burst like a clap of thunder on Europe, then there began among the higher classes, as venerable witnesses, now and lately alive, have assured some among us, a revival of religious feeling. But shortly before that Revolution, the whole relations of the Church and the people appeared to be rapidly sinking into the condition of a mere form; they were too generally reduced to a skeleton of dry bones, without life, or heat, or movement; there were no warm and living bonds of love and of duty such as ought to connect a Christian people with their ministry. If Parliament were to be governed by a spirit of hostility and of jealousy to the Church, it might in certain periods produce again results like these. In a generation already verging towards indifference, it might plunge the Church more deeply into lethargy; for, in this free country, with the laws, tempers, and habits which happily prevail, you cannot make any class or body of men, be they clergymen, or be they laymen of whatever kind, discharge their duties cordially or efficaciously by measures of restriction and coercion, or by the mere exercise of authority. Especially in regard to the Church, from the very nature of its office, which depends so essentially on the affections of the people, you must infuse a genial and a kindly spirit into all your proceedings, unless you are prepared to take upon yourselves the responsibility of one or the other of two tremendous evils: either the evil which I have named, of paralysing all spiritual energies in an age of indifference; or in an age of religious warmth and excitement, and of rising faith within the Church, such as this, the evil of exasperating those energies, and of causing convulsions which might ultimately prove almost as detrimental to the civil as to the ecclesiastical institutions of the country. If, therefore, we desire to see what is called a working or an efficient Church—a clergy that will toil without remission until it has covered the whole space, now unhappily void, amongst the people with the life-giving ordinances of our religion, acting with zeal and love, as well as with a

true moderation, in the spirit of that system of faith and discipline under which they are appointed to work—we cannot contribute to this purpose, though we may defeat it, by a policy of jealousy and repression; we may contribute towards it, if the duties of the State in Church affairs be discharged in a wise and considerate, I will say also in a genial and friendly, and something of a confiding temper. Such, then, is the mode in which, as it appears to me, it would not be difficult to provide sufficiently against the embarrassments which might otherwise arise out of the successive infusion of many new and alien ingredients into the composition of the Legislature. But I should think it a very great misfortune indeed, if there were no other mode of avoiding those embarrassments than to reject a measure like this, which has civil privileges for its subject-matter, and to announce to the Jew that, on account of the partially religious or ecclesiastical duties of Parliament, we shall now, after all we have done in relieving different classes from disability, and recognising their fitness for admission here, after all we have done for him in conferring upon him such functions as those of the magistracy and the franchise, apply as against him the exclusive rule in a manner, as I think, so partial and unequal, and take our stand upon a ground so very narrow as that lying between what we have already given, and what we are now asked to give. The opposition to this measure, in order to deserve respect, must be placed upon the ground of religion; but it could only attract respect, when placed upon that ground, if it could be shown that there is breadth in our distinctions, that there is some consistency in our policy, that our rules are impartially applied; conditions none of which I am able to realise in any opposition that can now be offered to the Motion of the noble Lord. Upon a general view, then, of the case, I cannot but feel that my noble Friend has misconceived the purport of this measure in its bearing on the religious character of the constitution, and has therefore greatly overrated as well as misjudged its effects. I am unable to detect any practical evil or inconvenience likely to flow from it, in any degree equal to the evils that would follow its rejection upon grounds that I take to be not only insufficient, but even false and dangerous. I rate highly the position of the Jews in the State; and I find their competency for civil duties asserted in the very largest terms, by one whose strenuous opposition to their claim does but add to the cogency of the witness he has borne in their favour. I cannot, then, but close with the appeal which the noble Lord opposite has made to us, and admit that in the measure he has proposed he is himself aspiring, and is inviting us to perform an of justice. But if it be such, then it is one worthy of a Christian Legislature to enact, for Christianity recognises no higher, no more comprehensive obligation. If we refuse it, I conceive that the wrong which on civil grounds we shall have done will be more acutely felt, and more pointedly shown, from year to year: if we adopt it, in spite of the prepossessions of others, and perhaps of our own, we shall have the consolation of finding that calm reflection will surely and speedily prevail. We shall have the consolation of believing that we have used the light that has been given us, not heedlessly, but to the best of our care and judgment; and having so done, may entertain the hope that it will guide us aright. Especially we may feel assured, that if the act we have done be indeed an act of civil and social justice, then, whatever be its first aspect, it can involve no disparagement to the religion we profess, can never lower Christianity, as my noble Friend has feared it would, in the public estimation, but must, on the contrary, tend to elevate the conception of Christianity in all considerate minds; for it will show either now, or at farthest when some years have passed, and when we can look back upon the differences of the present day with the aid of those lights which after events and experience will have thrown upon them, that the Christian religion, which we professed, was a religion that enabled us, when convinced, to do an act of justice in spite of prepossessions appealing to our liveliest and tenderest feelings—prepossessions which still attracted our sympathy and respect, almost our veneration — in the full belief that truth and right would vindicate themselves, and those who had desired to follow them.

Mr. BANKES said, that notwithstanding the observations and arguments of the right hon. Member for the University of Oxford, the real question at issue was, whether or not there should be any religion of the State. The right hon. Gentleman had affected to regard the admission of five or six Jews to Parliament as a matter of comparative indifference; but he had shut out from his view the broader ques-

tion suggested by the hon. Baronet the other Member for the University of Oxford. The petition of Archdeacon Wilberforce put the difficulty in which the House was involved in a strong light. That venerable personage was willing to admit five or six Jews to Parliament; but he qualified his consent by requiring the repeal of the Act of Henry VIII., under the provisions of which the noble Lord at the head of the Government was at this moment enforcing the dean and chapter of the see of Hereford to make a particular election of a bishop. For that venerable personage no doubt contemplated, and contemplated with truth, that to admit Jews to Parliament, qualified as they were described to be, for the highest offices in the State, was to destroy all security that a Baron Rothschild might, at no distant day, become an influential counsellor or even First Minister of the Crown, and in that capacity issue his *congé d'elire* for the election of Christian bishops. The noble Lord had adverted to the circumstance of infidels holding seats in that House, notwithstanding the declaration on the true faith of a Christian, and he quoted the case of Mr. Gibbon; but he thought that the noble Lord had not acted very fairly in venturing to assume that Hume, had he enjoyed the opportunity, would not have hesitated to take his place under an oath to legislate on the true faith of a Christian. He (Mr. Bankes) entertained too high an opinion of the honesty and conscientiousness of Hume to believe that he would have done anything of the kind. Undoubtedly Gibbon did come under that obligation; but Mr. Gibbon never held a high position in that House. He was an Atheist, and was powerless. [Mr. Disraeli: Deist.] Well, Deist. He was a Deist; but he was powerless in that House, and why? Because, being known as a Deist, he made the declaration on the true faith of a Christian in order to take his seat; and thus openly compromised his character for integrity. With regard to Lord Bolingbroke, it was true he did sit with considerable power in the House, although he was an unbeliever in the Christian revelation; but it was a fact that during the life of Lord Bolingbroke his real opinions on the subject of religion were not publicly known; and it was not till after his death that his infidelity became notorious, and blackened his posthumous fame. Had it been known, he would not have had the power he held, great as were his accomplishments and brilliant as his eloquence undoubtedly was. His opinion was, that if the House removed the barrier which excluded an unbeliever from the House, or, if it did not exclude him, operated to disarm him, they would perpetrate a mischief with regard to the religious character of the House, which could not be remedied. The right hon. Member (Mr. Gladstone) had said that the power of the House consisted in the character of its Members. It did so; and it was mainly on the religious character which belonged in an especial manner to those Members who, by a solemn asseveration, now all concurred in acknowledging the influence of divine revelation. By the rule of the House, some subjects which were considered to be of vital importance, could not be legislated upon without a Committee of the whole House, this being an indispensable preliminary. Among these subjects was religion; but if the House agreed to the present proposal, this would be the last time that such preliminary would be resorted to, because it was not true that the mere admission of the Jews was the only question: the real question was this—is religion to be considered essential to the legislative functions of that House? The hon. Member for Oldham (Mr. Fox) had laid particular stress upon the election of the city of London. He did not place weight upon such an occurrence as that. He did think that where a constituency knowingly and deliberately elected a person who was disqualified, no threat on the part of that constituency should induce the House to abandon a vital principle. The right hon. Member (Mr. Gladstone) had attached great weight to the continuance of the religious service in which the House engaged previous to commencing business; but what would be the consequence if, among those who attended that service, there should be Mahomedans, Hindoos, and other unbelievers? There was nothing to prevent such an occurrence if the present barrier was removed; and that which occurred a few years ago at Sudbury might serve as a warning to them. As to the recent and previous elections for the city of London, if report spoke true, money had great influence in turning the scales; and if, in the city of London, money could produce such results, what might not be apprehended in other parts of the country? Was it unreasonable to suppose that some wealthy Mahomedan, who had, perchance,

a claim of some 100,000*l.* or 200,000*l.* or of much larger amount, against the Government, might think it worth his while to further his ends by corrupting the electors, and securing a seat in that House? He must ask his hon. Friend, who professed so much attachment to the Church, whether he would consider it a pleasing spectacle at the time of prayer, that a Mahomedan —a professed unbeliever—should be standing or kneeling among us? To those who asserted that that form was old, and ought not to be continued, he had no argument to offer; but it did seem to him that even this, if it stood alone, ought to have some weight with those who professed attachment to the Established Church. The representative of one of our Universities should recollect that the question at issue was not merely the introduction of five or six Jews into Parliament, but it was a question much more important and decisive in its character and consequences. Those arguments which the right hon. Member had adverted to as likely to be used, he was inclined to think, would not be appealed to here, namely, the religious impropriety of giving effect to the present Motion. He did not think that the ground was likely to be taken up. As a political question, a most important and vital principle was involved, as the hon. Gentleman himself had admitted when he said that religious considerations could not be separated from the discharge of legislative functions. He, therefore, hoped that the question would be considered in all its bearings, and not simply as one affecting the Jews. It was exceedingly unfair to brand the opponents of the Ministerial proposal as the enemies of the Jews. They acted from higher considerations, and resisted the measure because it involved a departure from that which was the avowed principle upon which the legislation of the country ought to be carried on according to the principles of our constitution. Whatever the result of the discussion might be, he was satisfied that the debate would have the effect of proving to the country that the real question at issue was much larger, and much more important, than it was generally represented to be. The noble Lord, in introducing his proposal, had spoken of the oath as of a few words added at the fag-end of a declaration. The noble Lord might remember that the binding terms of all oaths as administered in our courts of justice were but four, occurring at what he might term the fag-end of a declaration. In fact, the argument of the noble Lord amounted to this, that no oath taken in that House could exert any binding or salutary effect. If such were the case, then he thought it would be more candid to avow that the intention was to do away with oaths and declarations altogether. With regard to what had been said as to unfounded alarms being entertained on this subject, he certainly was one who had the misfortune of opposing, conscientiously he was sure, and with painful feelings, the propositions that were made for the admission of Roman Catholics into that House; and if he were now asked whether the fears of those who had opposed the measure had been visionary, or whether the promises held out had been fulfilled; he would remind the House how they were told that the admission of Roman Catholics into that House would entirely remove the troubles of Ireland—that it would disarm the Catholic priesthood of those powers which they illegally exercised at the altar. If they passed what was then entitled "emancipation," the evils of Ireland, all of which were atributed to its non-adoption by Parliament, would immediately cease, as the supporters of that measure assured them. But those promises had been unfortunately falsified, and the fears which he and others entertained of that measure had not proved themselves to be of so visionary a character as they had been represented. In making these observations, he by no means wished to give offence to the Roman Catholic Members of the House; but he could not but speak with fear on this question, as he had ventured to do on Catholic Emancipation. He felt that there was such a preponderance of evil over good in this measure, that the House would be justified in refusing their assent to it. It proposed to abrogate all notions whatsoever of religion having a presiding power, or any power whatsoever over their councils. He dreaded the passing of such a measure as this, not merely as one which gave admission to the Jew, but to all classes of infidels; and under these feelings he was bound to give even in that early stage a decided negative to the proposition of the noble Lord.

Mr. ROMILLY was anxious not to trespass long on the attention of the House whilst he stated his views on the Bill about to be introduced by the noble Lord. It had been well said, that that House ought to look on this proposition as

a question of principle and justice. They had to consider whether a certain class of their fellow-subjects were not entitled to those rights and privileges which belonged to every other class of their fellow-subjects. It appeared to him, that the manner in which the question was put by the noble Lord was fair and just, and that the hon. Baronet the Member for Oxford (Sir R. Inglis) mistook the principle which affected this case, and totally misconceived the proposition, which was, that every person born in this country possessed all the rights of a fellow-citizen. The hon. Baronet stated, that it would be necessary for him first to have the qualification which made it necessary to give him the means of obtaining those rights. He entirely dissented from that proposition. He contended, that it was utterly futile to attempt to hold that any one born within these realms was not entitled to all the rights and privileges of a citizen. The burden of the proof that any particular class or individual was not so entitled, lay upon those who denied this right to citizenship. It was for them to make out that those persons who were born in this country, in exactly the same situation in all other respects with the rest of their fellow-subjects, were not entitled to those rights and privileges, and to participate in those honours which belonged to, and were participated in, by the rest of their fellow-subjects. The only ground which was admitted on both sides of the House to be the most important was, whether, if this measure were carried, the Christian character of the Legislature would be abolished? He believed that the question was one not so much of substance as it was of name. He thought the right hon. Gentleman the Member for the University of Oxford had well stated the case with regard to the quotation made by his hon. Colleague (Sir R. H. Inglis) from the Jewish pamphlet, wherein the writer said that Christianity was not the religion of this country. He very properly ridiculed the idea, that, because two or three Jews might enter Parliament if this question were carried, it should thereupon be argued that the Legislature was not a Christian Legislature. He begged to call the attention of the House to what had taken place with respect to the Roman Catholic religion. He asked, whether this was not still called a Protestant country? Was not the Legislature a Protestant Legislature? ["No!"] Did they not, when they passed the Roman Catholic Bill, foretell that every species of disaster would follow the passing of that measure? And yet the fact was, that the country had still continued a Protestant country, and the Legislature was still a Protestant Legislature, in the truest and best sense of the word. Indeed, he believed that the Roman Catholic Bill rather increased than diminished the Protestant character of the country, because now every Roman Catholic was admitted to equal privileges with his Protestant fellow-subject. Now, why did they admit the Members of the Roman Catholic religion to an equal participation in all the rights and privileges of a Protestant subject of the realms? Was it a matter of less importance to preserve the Protestant religion of this country, than it was to preserve the Christianity of this country? It appeared to him to be equally necessary to preserve the Protestant as the Christian character of this country. They were essentially linked together; and he professed himself to have the greatest possible respect and esteem for the Protestant Church, both from hereditary association and from education and reflection; but had he been in that House at the time that the Roman Catholic Relief Bill was brought in, he should have given it his support, as he felt convinced that, by so doing, strength was added to that Church which he professed, and whose integrity and whose existence he hoped might be perpetually allowed to continue. He believed that such would be the result of such a course, because it would prevent persons who were hostile to the Church of England from endeavouring to overturn it. He did not think by any means that the exclusion of a few from Parliament, who *primâ facie* were entitled to sit there, was calculated to deprive the Legislature of its Protestant character. He did not think that a man should be deprived of the rights of citizenship because he happened to worship God in a particular way, which he thought was acceptable to him. Why did they admit the Roman Catholics into the Legislature? They did so as a matter of justice, because, as fellow-citizens and fellow-subjects, they had an equal right to participate in the rights of legislation with themselves. They consisted of nearly one-third of the whole population of the United Kingdom of Great Britain and Ireland. They were very numerous, and very powerful. The arguments brought against the Roman Catholics was, they were disposed to make proselytes, and that they were disposed to be-

come dominant. Let it not be said, that they admitted the just claims of a body of men, not because of the justice of their case, but of the powerfulness of their party. He hoped hon. Gentlemen would not, by their votes upon the question, act as if they were more anxious to preserve the Protestant than the Christian character of this country. He thought that Gentlemen who opposed this measure, formed but a poor estimate, not only of the vigour of the Church of England, but of the Christian religion, when they talked of its being likely to lead to the unchristianising of the country. He begged them to look at what was taking place throughout the world. They would find that the Christian religion was extending to all parts of the world with gigantic strides, wherever civilisation extended, and that it was manifest that, in the course of a short time, the Christian religion would become the prevailing and dominant religion throughout the world. No person, except somebody with a most fanciful or diseased imagination, could possibly imagine that the Jewish religion could become the dominant religion of this country. The hon. Gentleman who had just sat down suggested this case: he supposed the case of the Baron Rothschild being introduced into that House and becoming Prime Minister, and sending *congés d'élire* for the election of persons to that House, and the possibility of his desiring parties to be returned who were in favour of the Jewish religion. Now let the House just look at the real state of the case. The Jews at this very moment might hold and did hold land in this country. At this moment they were possessed of ecclesiastical benefices, and the manner in which they disposed of their advowsons was highly creditable to them. It should be distinctly recollected that the Jews were not disposed to proselytise. It was admitted that it was totally contrary to their habits and dispositions to do so, and that they were in a great measure exclusive. It was therefore absurd to suppose that there was any danger of their making Jews of the people of this country when this measure was passed. If they rejected it, he believed that they would give great offence to a very large portion of the community. If, however, they adopted it, they would be more closely united with a large body of useful and influential fellow-subjects. If they passed this Bill, he believed that the Christian character of the country would remain, in spite of such measures as these, and notwithstanding the groundless fears of hon. Gentlemen. All that they were asked to do by the proposition of the noble Lord was to consent to such a modification of the oath as should admit Jews to sit in that House. Now, it was urged by the hon. Baronet the Member for the University of Oxford, and repeated by the noble Lord the Member for Bath, that if they passed this measure they would produce this evil, which was a very serious one—they would offend large masses of the community. But what would they do if they rejected the measure? They had the evidence already that 7,000 of their fellow-citizens had elected another fellow-citizen—a Jew—to represent their interests in Parliament. They had united their voices for the purpose of sending him there; and that evidence rested not upon mere bare speculation, but they had it in the clearest manner possible. It had been suggested by some persons that, though it might be true that the Jews were equal in point of moral conduct to any other class of their fellow-subjects, they were in danger of violating their morality if they took a seat in that House. But it had been well observed by the hon. Gentleman whose speech he listened to with great pleasure, that the Jews observed that primary precept upon which morality rested—that, in fact, the morality taught by the Jews was the same as that taught by the Christians. When he spoke of morality he spoke of it as distinct from any doctrines of religion. A high eulogium was passed upon the great morality and the great capacities of the Jews by the noble Lord the Member for Bath, who pointed out what valuable Members they would become in that House; but yet upon the mere notion that Christianity might be nominally, although not substantially, injured, he was prepared to deprive the House and the country of the valuable services of such men. The only other argument against the Jews could only be expressed by one word, antipathy. There was an undefined antipathy against the Jews having places in that House. Now, he thought that the hon. Baronet the Member for the University of Oxford, and the noble Lord the Member for Bath, ought to do all in their power to remove the prejudice by voting for this measure. That very antipathy which existed among many persons, without any defined reason, against the Jews, was one of the surest tests that the House could have, that, if elected, the

Jews would prove to be most useful Members of the Legislature. Because, first of all, what must take place? A Jew must not only have sufficient property to be elected, but he must be sufficiently qualified by talent and respectability in the opinion of his fellow-citizens to represent them in Parliament. They had therefore that security that distinguished persons would be elected: and the election of such men of the Jewish persuasion must have a tendency to remove, in a great measure, the prejudice which existed in the public mind against them. Could any body doubt that Baron Rothschild would have been returned for London long ago had it not been for his opinions upon the Jewish question? Was not that a proof that his talents and abilities ought to be sufficient to counterbalance all those objections which were urged against his taking a seat in that House? There was one observation made by the noble Lord the Member for Bath, as to an observation of Dr. Arnold's reasons for excluding the Jews. In reply to that he wished to ask whether the House could for a moment believe that because half-a-dozen Jews entered the House, the House and country would be Juadised? Had the House become a Roman Catholic House because some Members of that body had been admitted? Was there any likelihood of it becoming Independent, or Wesleyan, or Unitarian—and, by the by, it was with much pleasure that he had listened to the talented speech of the hon. Member for Oldham, who was of that persuasion—because a few of those bodies were Members? In France and other countries Jews were admitted to a share in legislation without any of those pernicious effects which some apprehended would be found to follow from the passing of this Bill. He hoped and believed that the old argument, founded upon the prophecies as to the Jews being a wandering and wretched people, without a nation, would not be again resorted to. The House of Commons had been forced by the city of London to consider this question; and were they to exclude from Parliament the choice of the wealthiest, the most influential, and the most intelligent constituency in the kingdom? The refusal to allow Baron Rothschild to sit, would be, in his mind, a great blow at the representative system, and would inflict a serious wound upon the feelings of a peaceable and well-disposed body of men. It was idle to talk about fears upon religious grounds. They ought to have sufficient confidence in their own, to prevent them from indulging in such idle fears. The time was come to make this concession; and he trusted the House of Commons would not be found wanting in recognising, to its full extent, the great principle of toleration.

Mr. GOULBURN said, it was not without a feeling of considerable pain that he addressed himself to the question before the House, for at no time was it agreeable to offer opposition to those who sought advantages from that House, and to feel compelled on principle to resist the claim which was so made. The pain of his situation was considerably increased when he knew that he differed from many of those around him with whom on questions of public policy he was in the habit of agreeing, and whose judgment he regarded with deference and respect. But, as the noble Lord the Member for Bath had stated, this was a question of principle; and as it was a question of principle, it was impossible to defer to individual feelings. It became necessary, therefore, however painful the discharge of the duty might be, to state the grounds on which he felt bound to oppose the Motion of the noble Lord at the head of the Government. He did not presume to resist the introduction of Jews to Parliament upon the ground said to actuate many. He did not, any more than the noble Lord at the head of the Government, attempt to give effect to the denunciations in the prophecies by persecuting that people—he did not cast any imputation on their character as men of ability and worth—he did not mean to say that they did not pursue their avocations with industry, and that they did not conduct themselves honestly and decorously—that they did not, in many respects, merit the approbation of their fellow-citizens. He rested his opposition to their claim on the grounds stated by the noble Lord the Member for Bath, namely, that it was inconsistent with their situation as a Christian Legislature to admit Jews into Parliament. The hon. and learned Gentleman who had just sat down considered that the House came to the discussion of this question under peculiarly favourable circumstances, namely, that the citizens of London had elected a Jew as their representative, and thus necessarily brought the subject under the consideration of Parliament. Now, even if he were not opposed to the admission of the Jews into the Legislature, he must say, that the circumstance which

the hon. and learned Gentleman had stated, so far from inducing him to give their claims a favourable consideration, would lead him to oppose them more strenuously. Parliament would neglect its duty to the State if it encouraged any constituency to return to the House of Commons a person whom the laws of the country for the time being disqualified from sitting there. Nor did he think that the claims of the Jews to seats in Parliament ought to receive more attention because a Jew had been returned for the city of London in conjunction with the First Minister of the Crown. If changes of the law were to be forced upon the Legislature by the illegal proceedings of large bodies of men in the country, the functions and duties of Parliament would be necessarily superseded. If the House gave any weight to the peculiar circumstances under which the question was brought before it, they would not only be in error, but would give occasion for dangerous impressions on the minds of the people with respect to the mode of effecting further changes in the law. What did they see every day—and he viewed the fact with alarm and apprehension—but juries refusing to convict prisoners charged with capital offences because they were of opinion that the punishment of death ought not to be inflicted in any case? What difference was there between juries like those who sought by a violation of their oaths to compel the Legislature to abolish the punishment of death, and the citizens of London who in defiance of the law would force upon the House of Commons, as their Member, a person whom the law had disqualified? If there were parties desirous of forcing Parliament to adopt a course which Parliament had not considered it advisable to adopt, it was the duty of the House to view the attempt with increased jealousy. The hon. and learned Gentleman who had just sat down had told them that the question rested precisely on the same footing as that of Roman Catholic Emancipation. On that point he begged entirely to differ with the hon. and learned Gentleman. The difference was, not that the Roman Catholics were powerful, and that the Jews were weak—not that the Roman Catholics were dangerous, and that the Jews were powerless; but it was because, however the Protestant and the Roman Catholic might differ, there was the common bond of Christianity to unite them; and in that bond the Jew could not concur. He admitted that, generally and abstractedly speaking, every individual had a claim to be admitted to the enjoyment of every civil privilege; but surely the hon. and learned Gentleman must admit that there were cases in which considerations of general policy might require and enforce exclusion; and he contended, that the present was a case in which exclusion was required, to maintain the character of Parliament, and carry out those great objects which a Christian Legislature had to accomplish. The constitution of the country had required that Members of the Legislature should be subject to two obligations—one of allegiance to the Sovereign, the other of a belief in Christianity. It was true that the obligation to adhere to the Christian faith had been varied from time to time. But the principle acted upon had been the same, and assent to the Christian faith was deemed as material as allegiance to the Sovereign. The citizens of London said that a man who did not fulfil one of those two conditions was a proper person to be returned to that House. How soon might they not be told that a man who rejected the other, or owed no allegiance to the State, would make a valuable Member of Parliament? He knew something of the foreign merchants in the city of London; and if those qualities only were to be considered which would render a man a useful Member of the Legislature, they might easily find many who owed no allegiance to the Sovereign of this country, who yet were as competent to fulfil the duties of a Member of Parliament as the Baron Rothschild. He would do the noble Lord opposite the justice to say, that he had not maintained that ill-considered opinion that the Legislature of a country had nothing to do with religion. Those who entertained that opinion were but little read in the history of the country, and had but little knowledge of the functions of the Government. Every one of our institutions, and every one of the ordinary transactions of the public policy of this country, carried with it evidence that throughout we were actuated by religious principle. Allusion had already been made to the daily practice of the House in beginning their proceedings with a religious service. In periods of distress, who was it that publicly professed humiliation in order to obtain an alleviation of that distress—who, in times of prosperity, concurred in public thanksgivings for the blessings so received? Were they not pre-eminently the Houses of Parliament?

The mere fact that they associated the Church with the State was evidence that they had never attempted to separate civil policy from religion. The noble Lord who opened that debate did not fail to avail himself of what had been used as an argument on other similar occasions, namely, the inefficiency of the declaration to keep out of Parliament those who were disposed to enter it by a violation of their conscience. He allowed that it was easy for any Jew or Pagan to enter the House if he was disposed to take the oath. It was true that Mr. Gibbon, being as hostile as any Jew to the Christian religion, took the oaths and his seat in that House, swearing upon the faith of a Christian. But that was a bad argument for repealing the law. The fact only showed the inefficacy of human legislation as opposed to human depravity; but it gave no reason why they should forbear to exercise the power, and the only power they possessed, to ensure the Christianity of that assembly. It had been already observed, that if that were an argument for changing the law, they might with equal justice propose to abrogate oaths in courts of justice. Men who believed not in a Superior Being might take an oath without regard to its obligation; they might commit perjury, and influence the whole tide of justice by their neglect of that solemn obligation; but was it right on that account to have unsworn testimony, or was the instance of one or two perjured individuals sufficient to abrogate oaths altogether? This question of the admission of Jews into Parliament, was one mainly of principle. He rested his opposition on the effect which their assent to the admission of the Jews would have upon the character of the Legislature—he rested it on the shock it would give to the religious feelings of the country—and above all on the impediments it would interpose to the discharge of those high duties which he considered were imposed upon this country, and which it was the first duty of that House to take care should be properly discharged. It was not that he considered the number of Jews that might be admitted into the House would necessarily influence the majority—it was not that if they admitted Baron Rothschild, or some six or seven others, they would overturn the Church Establishment, or introduce measures for the abrogation of Christianity: quite the contrary; but what he looked at was the effect it would have upon the opinion the public would entertain of Parliament, and how that would operate to the prejudice of Christianity. If they had had from the first a Parliament that professed a total indifference to religion, their whole system of law and practice might have conformed to that state of things; and it might be a question whether it would be prudent to make an alteration. But the state of the case was very different: they had for centuries maintained the principles of Christianity, and, whatever difference of opinion might exist on other points, a belief in Christianity had been deemed necessary as a qualification for a seat in the House of Commons. If, therefore, they at the moment changed their whole course, and were prepared to abandon the solemn obligation heretofore required, and to admit persons who impugned Christianity and denied its truth, the impression on the public mind would necessarily be, that the Legislature had become indifferent to the concerns of religion; and it would give a blow to the best feelings of the people, from which it would be long before they recovered. Above all things it was important that the House should retain the confidence of the people; if that confidence were once shaken it would indeed be difficult to retain the power they had of influencing the country. The people now trusted in the wisdom and Christianity of the Government for the rectitude of their measures, and in perfect reliance on the Christianity of the Legislature and the Government they had confidence that if the Government engaged in transactions with a foreign State, they would not pursue interests in opposition to the dictates of religion; that they would not act in a manner unbecoming a Christian community and a Christian Government; and in that confidence the people submitted without inquiry to what the Government undertook; but if once that confidence were shaken, it would never be regained. In his conscience he believed that if they repealed that declaration which required a Member of Parliament to profess his faith in Christianity, they would go far to diminish that confidence which the public now reposed in them, and create an opinion that they were indifferent to the cause of that religion which was cherished by the people. We were not dealing with the concerns of an insignificant or second-rate Power. This country possessed a very large population, immense wealth,

and extensive empire; and with those advantages they had imposed upon them the high obligation of so making use of those blessings as would be most effectual for the purpose of general civilisation and improvement. The people of this country were in the main a sincerely religious people; and if there were amongst them large masses of ignorance and crime hitherto impervious to religious truths, there was in the higher and middle and lower orders of society, a body of religious feeling making continually aggressive movements on the vices of those masses, and endeavouring to reduce them to the acknowledgment of Christian principles. If, however, the public saw that the Houses of Parliament were indifferent to Christianity, and made no difference between the Christian and the Jew as to their legislative functions, it would either destroy all respect for the Legislature, or deprive the individuals who were engaged in reclaiming those masses of ignorance and vice, of the support which they now derived from the Christianity of Parliament. But the evils that would arise from the opinions entertained as to their change of character, would operate tenfold in the distant parts of the empire. There the benefit of British rule had been not merely the extension of civil privileges and improved laws, but the propagation of religious truth amongst the millions of heathens whom Providence had placed under their dominion. The excellent men who had undertaken that duty enforced upon them the superior truths of Christianity, and taught them that whilst those truths led to infinite happiness, the ignorance of or resistance to them led to infinite misery. But, if while they were preaching those doctrines abroad, it came to the knowledge of those whom they were teaching, that at home they had abolished the distinction between Christian and Hindoo with respect to legislative functions, the power they now possessed of bringing those millions within the pale of Christianity, would be greatly diminished. If they looked back to what had occurred in the distant parts of the empire, they would find that the greatest obstacle that had existed to the progress of religion in their colonies had been the inconsistent conduct of individuals sent from this country to reside there. For years had those engaged in the holy work found those obstacles opposed to them; and only in later years had more effective means been taken to surmount them by the improved religious habits of the colonists, If, then, Parliament now created in the minds of those people an opinion of their own inconsistency, or that they were not sincere in the professions they made, and that they observed no distinction between the faith of the Jew, Hindoo, and Christian, they would weaken the power they were at present acquiring of spreading the doctrines of Christianity amongst those over whom Providence had given them sway. There were sufficient difficulties in the present constitution of Parliament to oppose obstacles to those duties, for Parliament had declined, in a great measure to lend its exertions to any objects of that kind; but in proportion as Parliament had found itself disabled from coming actively forward for that purpose, individual exertions throughout the country had been great, and they would continue to be so until the object in view was achieved. But if the Legislature now created an impression of its own indifference—if it imposed a check upon those individual exertions which nothing else could counteract—the Legislalature would reduce itself to the necessity either of taking that duty upon itself, or of abandoning all that had hitherto been effected. The right hon. Gentleman the Member for the University of Oxford took a very different view of the question ; but although he (Mr. Goulburn) admitted the force of his arguments, it seemed to him that at the close of his speech the right hon. Gentleman betrayed no small doubt as to the efficacy of this measure ; for he told the House that if they admitted the Jews into Parliament, and still further increased the opposition to the interests of the Church that at present prevailed, it would be the bounden duty of Parliament to come actively forward in support of the Church, and to make more strenuous efforts than had hitherto been made to maintain its efficiency and power; and in confirmation of that the right hon. Gentleman had referred to the petition of Archdeacon Wilberforce, then lying on the table, in which he expressed his unwillingness to interfere with the admission of Jews to Parliament, but that if the House should so admit them, Parliament should take measures to give vigour to the Church by the re-establishment of Convocation, and by the other means which he recommends, so as leave the Church the most unfettered liberty of following out her own high designs. His noble Friend the Member for

Bath (Lord Ashley) had with great propriety viewed and treated this as a question of religious principle. The decision, therefore, to which they would come would have an important influence upon the minds of the people; and, considering the subject in this light, he entirely concurred in that expression of opinion which he had communicated to the House as the sentiments of the learned body he represented. It was his belief that this was a measure calculated to shock the religious feelings of the country, and to act as an impediment to the progress of the happiness and prosperity of our people.

Mr. PLUMPTRE said, that this was simply a question whether they as a Christian Legislature, believing Christ to be their only Saviour and Redeemer, and having continually to consider subjects affecting the honour and glory of that Saviour, would invite among them into that House men who looked upon him as an impostor. He intended no insult to the Jews in asserting that they were unfit to legislate or interfere in the affairs of a Christian nation; and as he deemed the question to be one of principle and not of expediency, he should vote against the Motion of the noble Lord, and against the Bill when it was introduced. He admitted that a state of things was arriving which might be called practical infidelity; but he, for his part, would not violate the religious feelings of the community by taking a course which, as a sincere Christian, was forbidden him.

Mr. DISRAELI said: Sir, I observed that the noble Lord who introduced this question to our consideration to-night, introduced it to our consideration as a question of principle. I have just heard the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn) oppose that proposition in a very able speech; and he grounded that opposition also on the assertion that it is a question of principle. The principle of the noble Lord is the principle of religious liberty; the principle of the right hon. Gentleman is, I apprehend, the principle of religious truth. The noble Lord, in applying to the solution of this question the principle of religious liberty, has adopted a principle which, in relation to the subject on which we are now deliberating, is one of novel introduction into this country—a principle which in its application has effected very great ends and very great results—a principle which the noble Lord has a right, almost above all other men, from his descent and his personal exploits, to look up to with respect. It is not, Sir, for me on the present occasion to give any opinion upon the validity of that principle. I am not here to impugn its soundness; and I do not find it necessary to say anything in support of it. I am satisfied that a great body of Gentlemen in this House will allow their opinion on the present occasion to be decided by their belief in the principle of religious liberty. But I may say, for myself, that I am one of those who believe that there is something more excellent than religious liberty—and that more excellent thing is religious truth. I may be permitted to say, also, that religious conformity—religious truth taking the shape of religious conformity—is in my mind unquestionably a very great blessing; and though I am not here to impugn for a moment the validity of the principle on which the noble Lord has founded mainly his argument in support of this measure, at the same time I beg to state that it is not upon that principle that I shall be influenced in giving my vote this evening. The right hon. Gentleman the Member for the University of Cambridge has told us that this is a question of principle, and a question indeed whether this is to be a religious or a non-religious country; and the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) is going to support the proposition of the noble Lord—although he declared frankly, and in a manner that did him, under the circumstances in which he spoke, the greatest honour, that he found it necessary to excuse the vote that he was giving from the character which that vote might assume from the more superficial circumstances of the case. The right hon. Gentleman gave us a philosophical description of the consecutive development of circumstances in this country, which rendered it, in his opinion, politic and even necessary to support the proposition of the noble Lord, though at the same time he seemed to conceive that a state of affairs might exist which would be more agreeable to his feelings, and more consentaneous to his wishes. The right hon. Gentleman confessed it was the progress of events that rendered it necessary for him to give that vote; and I apprehend I am not misinterpreting him, though he feared that the House and the country might misconceive the motives which induced him to give that vote, and the reasons which influenced him in coming to the resolution

which he himself was enforcing. Now, Sir, I have arrived at a conclusion entirely contrary. I do not think that the vote which the noble Lord wishes us to support him with, is one which ought to give an impression to the country that there is any deficiency of religious feeling in this House. Because, what are the circumstances of the case? It affects those subjects of the Queen who profess the Jewish religion. They are not many in point of number—they are a people who do not hold monster meetings; they do not form themselves into societies to act against the law; but they are a people who come and make an appeal to this House, and who ask the House whether it be prepared—as I hope it will be prepared—to admit that appeal; and among other reasons on account of the religious associations connected with the subject, I agree with the noble Lord the Member for Bath (Lord Ashley) in considering this a religious question. For who are these persons professing the Jewish religion? They are persons who acknowledge the same God as the Christian people of this realm. They acknowledge the same divine revelation as yourselves. They are, humanly speaking, the authors of your religion. They are unquestionably those to whom you are indebted for no inconsiderable portion of your known religion, and for the whole of your divine knowledge. Well, then, Sir, there is *primâ facie* reason to suppose—looking at the question upon the surface with regards to its religious associations—that the representatives of a Christian community should not look with disfavour at such an appeal made by such persons. ["Oh, oh!"] Some Gentleman whom I do not know, and whom I cannot see, appears to express dissent. He probably is one of those who look with disfavour upon the appeal made by the Jewish people; but he appears to me to represent upon the present occasion a small minority; because I observed that may persons who have spoken against the proposition of the noble Lord (Lord J. Russell) have admitted the extraordinary claims of those who profess the Jewish religion to participate in the rights and privileges of a Christian society, and they have felt unable to get over that difficulty. The noble Lord the Member for Bath was a signal example of that position. I had the misfortune not to hear a portion of that which I will call the noble speech of the noble Lord the Member for Bath. But I had the gratification of listening to the last and much the larger portion of his address; and if I had not known anything about this House, I might have supposed him to be some person rising with the inspiration of his subject, and speaking with great authority, so irresistible was the noble Lord's argument and so rich his illustrations, had he not ended by opposing the Motion, and acknowledging more than once that he felt a great difficulty in assigning a distinct reason for that opposition. The Minister, when he introduced this question to-night, felt it necessary to glance with some obscurity to the only tangible reason which could influence them and other Governments in opposing the admission into Parliament of persons holding the Jewish religion. This reason was only partly adverted to by the Minister; but the noble Lord the Member for Bath, with the earnestness of his heart in the subject, told us that the real cause of the prejudice against the Jews is, that they are looked upon by the people of this country—by portions of them at least—as having incurred a penal retribution for the crucifixion of our Lord. The noble Lord (Lord Ashley) placed that question before the House; and it is only because he did so that I allude to the subject. But the strange feature in the case is, that the noble Lord stated at the same moment, that he gave no credit to that proposition; and that he could not bring his mind to believe that the existing Jewish population in this or any country were, in consequence of that mysterious and most important event in the annals of the world, liable to any such punishment. It is well known that long before that momentous event, the Jewish people had been dispersed through many lands, and that the Jews of this and other European countries may have sprung from those who had left Palestine long before that event. The noble Lord said, then, there was no ground for entertaining that belief. But if that is not the cause of the opposition to the present Motion—and that is the cause out of doors—what is the definite ground which you bring forward in opposition to the Jewish claims? I leave the question of religious freedom to work its own way; and I will not advert to that portion of the subject which the noble Lord opposite (Lord J. Russell) has touched with the ability of a master. But I look to the opposition of Gentlemen on this side of the House who object to this Motion on the ground of religious truth; and I say that it is on that

ground, as well as on the ground of religious freedom, that I feel bound to give my vote for the proposition of the Minister —for if faith is valued as a sanction of conduct, with what consistency can a Christian people say that those to whom they are indebted for the doctrines of their faith—who profess the religion which every Gentleman in this House professes—for every Gentleman here does profess the Jewish religion, and believes in Moses and the Prophets? ["Oh!"] I find that there are Gentlemen who, it seems, do not believe in Moses and the Prophets, and that gives some strength to the observation made to-night about Gibbon and Hume. But until I heard this scoff, I thought this was a position in the argument which might be regarded as established, and which was too clear to need refutation. Well, then I say that if religion is a security for righteous conduct, you have that security in the instance of the Jews who profess a true religion. It may not be in your more comprehensive form. I do not say it is the true religion; but although they do not profess all that we profess, all that they do profess is true. You must admit, then, that in men who are subject to the Divine revelations that you acknowledge — whose morals are founded on the sacred oracles to which we all bow—that as far as religion can be a security for their conduct—for their public morality and justice—you have in the religion of the Jews the best sanction in the world except that of our own Christianity. You will hardly say that the religion of the Jews is not a security for their moral conduct; but then you will say, that if you admit the Jews into this House on the principle advocated by the noble Lord, you will re-christianise the country, and the professors of other religions, not like the Jews, and which have not so great an affinity to that which we profess, may enter into the House. But the best evidence in the face of Europe of our Christian sincerity is, that we admit the Jews to the highest privileges of citizenship and to the highest offices of the State, without so admitting the professors of other religions. The very reason for admitting the Jews is because they can show so near an affinity to you. Where is your Christianity, if you do not believe in their Judaism? Do not mix up, then, the consideration of a question which is so intimately allied to your own faith, with the different considerations that would apply to the Pagan and the Mahomedan. I am prepared to lay down the broadest principles as to the importance of maintaining a Christian character in this House and in this country; and yet it is on this very ground you will found and find the best argument for the admission of the Jews. I deny that their case, to a Christian senate and people, depends on the same arguments and requires the same pleading as the case of the Pagan and the follower of Mahomet. But the right hon. Gentleman the Member for the University of Cambridge says, that the very consequence of your admitting the Jews into this House is, that you are losing your hold on distant countries; that you are in fact destroying your power of conversion in distant lands by admitting them into Parliament; and that, in fact, you will no longer recognise the Christian religion. I ask you, on the other hand, to admit the Jews into this House, and into the enjoyment of every civic and social right, because I differ from the right hon. Gentleman, and regard the admission as a testimony to our own Christianity. Look at it as a religious case. Suppose this were, as it might have been, a Druidical assembly; suppose you had, as you might have had, a bench of Druids in another place; and supposing then that the Jews, a people numbering some 40,000 or 50,000, had claimed from you an entrance into this House, and demanded the full enjoyment of British citizenship. Then I apprehend that you might have said, "This is a question of high policy, whether we shall admit these persons, small in number, professing a religion of which we know nothing, and following perhaps habits of life which may be very dissonant with ours, to a full participation in our privileges, and allow them to sit in the national senate." But a Christian senate and community are placed, in reference to the Jews, in a position quite different, and must not for a moment be confounded with what their position would be in reference to a follower of Mahomet or a Pagan. The right hon. Gentleman the Member for the University of Cambridge appears to be alarmed lest our influence in foreign countries—our influence in the work of conversion in foreign countries—should be lessened by acceding to the proposition of the Minister. Sir, I have that faith in Christian principles, that I think they will make their own way, and must make their way, by their own essential power; and that he who preaches them will not exercise great influence in their diffusion, because, accor-

ding to the view of the right hon. Gentleman, he can intimate to those whom he wishes to convert, that they will enjoy some advantages by acceding to the faith he wishes to propagate. The right hon. Gentleman was once Secretary of State, and Secretary of State for the Colonies; and when in that office he must have seen, in the West Indies and other places, colonies of ours governed by deliberative and representative assemblies in which Jews are seated, and not Jews only, but even Pagans. There are Buddhists even, who sit in the legislative chamber in the island of Ceylon. But I am not adducing these facts as precedents for the guidance of your decision. I place the present question upon the religious grounds on which it was based by the noble Lord the Member for Bath; and I mix it up neither with the principle of religious liberty, nor with those principles which other Gentlemen have advocated, that you should not look to faith, but admit all faiths alike. I dismiss all those considerations, and I say it is because this is a Christian assembly, and this is a Christian country, that the Jews ought to find a reception among you. So far as reason is concerned, I say that no reason one can grapple with—no precise and definite argument—has been adduced against the Motion of the noble Lord. There is one part of this question which has great influence in this country; and allusion has been made to the difficulty which would arise out of the position in which the Jews, if admitted here, would be placed in connexion with the Church of England. That is a question, as it appears to me, on which great misconception exists. I shall not dilate upon a point already referred to, remarking only, that the professors of the Jewish religion are not those who proselytise. So far as my argument is concerned, I place no weight upon that consideration. But observe, the Jew is necessarily a religious being. However he may have been persecuted—however he may have been degraded—however he may have been brutalised by the effect of those dark traditions which have really influenced that public opinion in relation to him to which I have referred, which never existed at the earlier periods of Christianity, but which are the product of the most benighted part of the feudal ages—he has been sustained by the divine law he obeys, and by the sublime morality he professes. The Jew has no thought of establishing his own Church; it is an idea foreign to his nature—foreign to the result of all his laws, of all his habits, and all his traditions. As such an object is both undesirable and impossible to him, it is his object to support the religious institutions of whatsoever country it may be in which he is permitted to enjoy the civil rights of a subject. In China, there is a large colony of Jews, descendants of Jews who probably left Palestine thousands of years before Christianity was established; and there they exist, a loyal, religious people, no doubt anxious, as they always are, to uphold the ecclesiastical institutions of the country. But in Europe—that Europe which you have baptised Christendom—how stands the Jew in relation to the Church of Christ? What possible object can the Jew have to oppose the Christian Church? Is it not the first business of the Christian Church to make the population whose minds she attempts to form, and whose morals she seeks to guide, acquainted with the history of the Jews? Has not the Church of Christ—the Christian Church, whether Roman Catholic or Protestant—made the history of the Jews the most celebrated history in the world? On every sacred day, you read to the people the exploits of Jewish heroes, the proofs of Jewish devotion, the brilliant annals of past Jewish magnificence. The Christian Church has covered every kingdom with sacred buildings, and over every altar, as we were properly reminded by the hon. Member for Oldham, we find the tables of the Jewish law. Every Sunday—every Lord's day—if you wish to express feelings of praise and thanksgiving to the Most High, or if you wish to find expressions of solace in grief, you find both in the words of the Jewish poets. It is in the Christian Church, which you persist in believing it must be the desire of the Jew to oppose, that you must, if he be not persecuted, behold that divine corporation which teaches to all the nations of the civilised world the sublime morality, the beautiful and devotional poetry of the Jew, and the true faith he professes. And I cannot but believe that a man owning all the traditions, all the habits, all the laws of a Jew—a man who wishes to maintain inviolate the religious institutions in every country in which he lives—must ever look upon the Catholic Church, whatever may be its form, with no other feelings than those of the deepest interest, and, as I think, with those of reverent affection. An hon. Gentleman has said, that if you wish

to convert the Jews, it is no hard matter; the first step is to let them become acquainted with you. And it ought not to be a hard matter. All the early Christians were Jews. The Christian religion was first preached by men who had been Jews until they were converted; every man in the early ages of the Church, by whose power, or zeal, or genius, the Christian faith was propagated, was a Jew; and I cannot believe, if you are really anxious for the conversion of the Jews— [*Interruption.*] I am sorry Gentlemen are so impatient; but I feel that I am pleading a difficult cause, and I feel it my duty to speak without concealment of my real opinions. Nothing but a conviction of solemn duty has caused me to undertake a task which I assure the hon. Gentlemen is no agreeable one. I think, Sir, that if this question be discussed at all, it should be discussed with the most perfect frankness. I do think it is most advisable that we should discuss it with reference to what, after all, is the real point; and I, for one, thank the noble Lord the Member for Bath, for having put the case fairly before the House. If one could suppose that the arguments which we have heard—the arguments actually put forth—are the only arguments that influence the decision of this question, it would be impossible to conceive what is the reason of the Jews not being admitted to a full participation in the rights and duties of a Christian Legislature. In exact proportion to your faith ought to be your wish to do this great act of national justice. If you had not forgotten what you owe to this people—if you were grateful for that literature which for thousands of years has brought so much instruction and so much consolation to the sons of men, you as Christians would be only too ready to seize the first opportunity of meeting the claims of those who profess this religion. But you are influenced by the darkest superstitions of the darkest ages that ever existed in this country. It is this feeling that has been kept out of this debate; indeed, that has been kept secret in yourselves—enlightened as you are—and that is unknowingly influencing you as it is influencing others abroad. Why, the hon. Gentleman the Member for Kent is a man who ought to be the foremost advocate of the claims of the Jews, unless he believes in what the noble Lord the Member for Bath calls the base calumny of the middle ages. The noble Member for Bath assigned irresistible reasons for not believing it; yet it is that dark calumny of the feudal times, founded on gross misrepresentations of history, geography, and theology, which is the origin of the prejudice against the ancient faith. It would be the most difficult task in the world to present these truths to any but a Christian assembly. I feel that the race are deficient in many of the qualities, as well as in numbers, which would make a statesman, for reasons of state, undertake the advocacy of their interests. It is entirely on religious grounds and on religious principles that I venture to recommend the subject to your notice. If I do so with earnestness, I hope I may be pardoned. This is not a subject which often comes under our consideration. I hope we shall not have occasion to consider it again. But it is a question on which men, whatever may be the consequences—on which at least I, whatever may be the consequences—must speak what I feel. I cannot sit in this House with any misconception of my opinion on the subject. Whatever may be the consequences on the seat I hold—and I should not have referred to such a consideration unless other Gentlemen had done so—I cannot, for one, give a vote which is not in deference to what I believe to be the true principles of religion. Yes, it is as a Christian that I will not take upon me the awful responsibility of excluding from the Legislature those who are of the religion in the bosom of which my Lord and Saviour was born. That is the consideration on which I place the question; and so confident am I of the sacred truth I have enunciated, that though sensible there may be a majority of the House who, however favourable to those claims, may decide upon the question on grounds of political justice, expediency, and truth, I will not decide upon it animated by those considerations. It is on the religious ground, on the religious principle alone, that I give my vote for the proposition of the Minister; and it is to those who have objected to it on that ground that I venture to address a statement of views which I hope they will accept, not from my words, but from the eternal truths on which they are based. [*Calls of* "Divide!"]

Sir T. ACLAND said, that after the address which had just been directed against the able, manly, and generous sentiments of his noble Friend the Member for Bath, who had placed the matter in its true light, it really appeared to him that the hon. Member for Buckinghamshire had either mistaken or passed over the en-

tire gist of his noble Friend's arguments. He hoped that hon. Gentlemen would forgive him if he stated the convictions uppermost in his mind which made it impossible for him to follow his example, and why he would be compelled at once, upon principle, to refuse his assent to the proposal of the noble Lord who had brought the Motion forward. His answer to his hon. Friend's speech was an appeal to the constitution; and he did so because he did not believe this was a further development of the liberal policy which this country had witnessed in the decisions of Parliament with respect to the concession of civil privileges, but was a new principle for the first time brought into the Legislature of the country. With respect to opening the doors to Roman Catholics, it was but replacing them in the situations they occupied for several successive reigns, and from which they were displaced because it was feared that their influence would be detrimental to the religion and principles of those who cherished the national faith in those times. He rejoiced that he lived in the days when he was enabled to claim his part in calling back that valuable portion of our countrymen to take their share in the administration of public affairs. With respect to other Dissenters, it was erroneous to state that the Test and Corporation Acts even interfered with the right of any individual to represent his fellow-citizens in Parliament. This was important to the present inquiry, for there never was a period when admission to the House was restricted to those who professed the established faith of the country. It was true, as he before said, the Roman Catholics were excluded, but Protestant Dissenters never were excluded. It was said that religion and legislation had nothing to do with each other; but until they could entirely disunite them, it was vain to attempt to draw a broad line of demarcation between them. He warned the House how it proceeded to pass a measure which might tend to alienate the affections of the people from the constitution. They were not obliged to pass this measure; and they certainly ought not to introduce it until they had resolved themselves into a Committee of the whole House, to consider whether they ought to interfere in subjects of a religious character at all. They were about to take into their councils those who had no sympathy for Christianity, and to call upon such persons to co-operate with them in legislating for the country. If they did this, they might as well let in Mahomedans and Hindoos. The right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), had quoted from Archdeacon Wilberforce; but he warned the House how they attended to a proposition of that kind. In truth, it seemed to him as if the right hon. Gentleman was disclaiming organic change; but let him beware of the tendency which led to organic change. There was one fact he wished to adduce, and that was with reference to an Anglo-American bishop in the United States, who came to this country for the purpose of seeing the state of the maternal Church. Upon his return to America, speaking of the American Church, which was not fettered with Government chattels, he inquired whether it would be well for the English Church to follow the example of the American. But, on consideration, he found it would be impossible. His words were, "It would be impossible in England to sever the State from the Church without a convulsion which would uproot both, and so destroy the fairest fabric of social and religious happiness in the European world." These were words uttered twenty years ago, and in the present time they were not devoid of needful warning.

Debate adjourned.

NEW HOUSES OF PARLIAMENT.

SIR R. H. INGLIS moved—

"That a Select Committee be appointed on the present state of the New Palace at Westminster, with a view to the reception and accommodation of this House therein; and further to consider the state of Westminster-bridge."

MR. FORSTER thought that the appointment of the Committee should be postponed till some information on the subject of the New Palace was laid before the House. The extravagant expenditure going on there was little understood by that House or the country. Before they handed over this matter to another Committee, he thought the House itself should well consider the whole subject.

SIR R. H. INGLIS believed every name upon the list he had proposed was on the old Committee, with one or two exceptions. If the hon. Member for Berwick considered that he ought to have an opportunity of examining the state of the funds, and exercising his faculties upon the subject, he had no objection whatever to his doing so. As to the Committee, however, however, he had thought it would be

of advantage to have upon it, as nearly as possible, those who had acted before.

Mr. BANKES thought the Committee should be appointed to sit not only "on the present state of the New Palace," but also with a view to the reduction of the enormous expenditure that was going on, very much to the dissatisfaction of the country. He was not averse to a proper expenditure of the public money when any good object was to be obtained; but the present expenditure neither tended to our greatness nor our honour.

Viscount MORPETH said, the hon. Member for the University of Oxford had consulted him on the propriety of moving the appointment of this Committee, and he had submitted to him the names of the different persons he intended to nominate. It seemed to him to him to be perfectly proper that such a Committe should be appointed, and therefore he had concurred in his hon. Friend's proposal.

Mr. OSBORNE apprehended that the question before the House was, that the appointment of the Select Committee be postponed. He had risen to second that Amendment; and he thought the House of Commons, in the capacity of guardians of the public purse, were bound not to suffer the gross job of the Houses of Parliament to proceed any further. He was prepared to prove that a more profligate and gross expenditure of the public money had never taken place; and he was determined, as far as he could, to prevent the public from being any longer deluded upon the subject. The original estimate was 780,000*l.*, and 1,500,000*l.* had up to this time been consumed; yet the House of Commons was unfinished, and the Speaker's house and the houses for the officers of the House had not been even commenced. They had a right to know from some other authority than the Chief Commissioner of the Woods and Forests what Mr. Barry was about. He asked the House to agree to the Motion of the hon. Member for Berwick, in order that this job should be no longer continued.

Lord H. VANE thought it doubtful whether any advantage could accrue from the appointment of the Committee. He had the honour of being a Member of such a Committee, and the only result had been an increase of expenditure through the removal of responsibility from the proper parties. He thought the matters should be left to the Chief Commissioner of the Woods and Forests, who would bear the responsibility, instead of casting it upon the House of Commons.

The Earl of LINCOLN said, he should offer no objection to the appointment of the Committee, as he saw no particular objection to it; at the same time, he agreed with his noble Friend (Lord H. Vane), that the only result of the appointment of the Committee would probably be to add to the expenditure. He should not, however, have risen but for the bold charge made by the hon. Member for Middlesex, who had designated the building of the two Houses of Parliament as a gross job. If this charge was a just one, the noble Lord (Lord Morpeth) and himself, as well as the Governments with which they had been connected, were participators in the job. If any job had been perpetrated, it must have been by the architect and the Chief Commissioner of the Woods and Forests, who could not escape the charge of being participators in the job, as they were bound to check the expenditure. The hon. Member had said that there had been already an expenditure of 1,500,000*l.*, whereas the original estimate had been only 780,000*l.*; but he must remind the hon. Member that there were enormous items of expense which had not been comprehended in the original estimate — river walls, purchase of buildings, &c. Again, a Committee had sat to consider the best mode of warming and ventilating the House, and that Committee had added 50,000*l.* or 60,000*l.* to the estimate. It was not fair to Mr. Barry to bring a charge against him in that House of being guilty of a gross job, without the possibility of his being able to meet and refute it. He thought the hon. Member should consent to the appointment of the Committee (proposing, if he thought proper, other names), and make his charge before that Committee. He had had opportunities of observing the proceedings of Mr. Barry, and he did not believe he was open to the charge.

Colonel SIBTHORP had listened to the hon. Member (Mr. Osborne) with great attention, and he coincided in his observations. It was very easy to say that hon. Members, such as the Chief Commissioner of the Woods and Forests, did not wish to waste the public money; but still the public money had been wasted.

Viscount MORPETH observed, that, whatever his opinion might originally have been as to the propriety of moving for this Committee, after the charge which had been made by the hon. Member for Middle-

sex (Mr. Osborne) against Mr. Barry, he thought that a Committee ought to be appointed, before which Mr. Barry—who in his (Lord Morpeth's) opinion had been somewhat coarsely assailed—might have an opportunity of making any statement, or of giving any explanation he might consider necessary. He (Lord Morpeth) entertained as high an opinion of Mr. Barry's character and conduct as he did of any man's; and he was glad that it was proposed to place the hon. Member for Middlesex on the Committee, as an opportunity would be afforded him of sifting thoroughly every charge and allegation that might be brought against Mr. Barry.

Mr. OSBORNE begged to explain that he had called attention to the subject solely on public grounds. He made no charge against Mr. Barry personally; his charge equally applied to the Government; and he was determined to do all in his power to show that no efficient control was exercised over matters of this nature.

Sir R. H. INGLIS considered that a full and complete inquiry should be instituted as to the statements which had been made respecting Mr. Barry; and he ventured to anticipate that a most satisfactory answer would be given to them. He hoped the Committee would be appointed to-night.

Sir R. PEEL expressed his hope that the House would assent to the appointment of the Committee to-night. He thought the Committee ought to inquire and report to the House what was the original estimate for the new Houses of Parliament; how far it had been exceeded; the cause of such excess; what was the present state of the buildings; the probable period at which they would be completed; and the probable total cost. He considered that these matters formed a much more fitting subject for inquiry before a Committee than for discussion in that House.

Motion withdrawn, in the understanding that it should be renewed on the following day.

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, December 17, 1847.

Minutes.] *Took the Oaths.*—Lord Grinstead.

Public Bills.—*Reported.*—Public Works (Ireland).

3ª and passed:—Crime and Outrage (Ireland); Railways; Public Works (Ireland).

Petitions Presented. By the Earl of Winchilsea, from Bury St. Edmund's, and other places, against the Admission of Jews into Parliament.—By Lord Brougham, from Tipperary, complaining of the Insufficiency of the Measures proposed for Ireland, and praying that Powers of greater Stringency may be granted.—By the Marquess of Clanricarde, from Dissenters of Taunton, and other places, for the Removal of Jewish Disabilities.

THE NAVAL AND MILITARY MEDALS.

Lord COLVILLE wished to put a question to the noble Earl at the head of the Admiralty, on a subject which had been alluded to a few nights ago. It might be in the recollection of the noble Earl opposite, that soon after the publication of the Order in Council of June last, with regard to the distribution of medals to officers of the Army and Navy, a large meeting of naval officers was held for the purpose of expressing respectfully to the Ministers of the Crown their feelings upon that subject, and of asking them to reconsider the decision to which they had come. At that meeting a deputation was appointed, of which he (Lord Colville) had the honour to be a member, to wait upon the noble Lord the First Lord of the Admiralty. The deputation was most courteously received by the noble Lord, who was good enough to say, that though the case was a very difficult one to deal with after the lapse of so many years, it should receive the consideration of the Government. The question he (Lord Colville) now wished to ask was, whether it was the intention of the Government to recommend any extension of, or any deviation from, the Order in Council of June last, respecting the granting of medals for particular actions therein specified?

The Earl of AUCKLAND said, he could have no objection to give the noble Lord all the information in his power on the subject to which he had referred. Shortly after the publication of the Order in Council in the *Gazette* of the 4th of June last, a committee of Flag Officers was appointed to inquire into the claims of officers under that notice, and also the claims of other officers who might consider themselves equally entitled by their services to a similar distinction. That committee had subsequently made a report, in which they expressed their opinion that there should be a considerable extension of the rule under which it was originally proposed that medals should be awarded. He (the Earl of Auckland) had submitted this report to the Government, and he was glad to say that the recommendations of the committee had been approved and sanctioned, though some matters of detail still remained under consideration. As soon as the arrangements had been completed, notice would be given in the *Gazette*.

DR. HAMPDEN—THE BISHOPS' REMONSTRANCE.

The Marquess of LONDONDERRY rose to put the question of which he had given notice respecting the appointment of Dr. Hampden to the see of Hereford: Having recently seen in the *Times* newspaper certain documents relative to the appointment of Dr. Hampden as Bishop of Hereford, and believing that they must have some foundation—though at the same time he was aware that many publications went forth to the world in a shape which might not be altogether authentic—he felt it his duty, having heard very much on this subject in the diocese in which he lived, to put some questions to the noble Marquess (the Marquess of Lansdowne) respecting it. Though his diocesan, possessing great ability, might not, perhaps, have expressed his opinions on this subject as other right rev. prelates had done, yet he (the Marquess of Londonderry) had had various communications with many clergymen and others in that diocese, and he could say, that their alarm at the proposed appointment was equal to that entertained by the country at large. Having seen, he repeated, the published document, which was signed by no less than thirteen bishops, at the head of whom was a right rev. prelate of sound principles and great learning, he could not have believed that such a document, addressed to the First Minister of the Crown, would have received from that individual an answer which he must characterise as most inadequate and unsatisfactory. Since the period when that answer first appeared, it had received from a right rev. prelate so complete, able, and full a reply, that he did not suppose that any one could now attempt to uphold that communication of the First Minister of the Crown, if it really were his. If no more reason were given for the appointment in question than appeared in the letter of the noble Lord at the head of the Government, he believed that it would create great dissatisfaction in the country, prove highly injurious to the present Government, and tend to increase unfortunate differences in the Church. He was quite sure that the noble Lord (Lord J. Russell), if he were determined to press this appointment forward, could not be displeased or surprised that a humble individual like himself should wish, if possible, to bring it forward in discussion before the Legislature of the country, because the noble Lord himself, at a former period, when an appointment was made of a high diplomatic character which there was no reason or ground to dispute, challenged that appointment, and said that it was the duty of every Member of the Legislature, if he thought any appointment of the Crown improper, to bring it before the face of the country. He (the Marquess of Londonderry), therefore, had a right, following the example of the noble Lord, to challenge the present appointment to the see of Hereford. Of course, he admitted the right of the Crown to make the appointment; but as to the wisdom of the advice given by the Minister to the Crown on the point, he had his doubts. Indeed, he considered that advice to be not only inexpedient, but unwise and impolitic at the present moment, and fatal to the best interests of the Church and the country. He had been assured that, if the appointment were persevered in, it would be the cause of great discontent. He thought he had a right to bring this subject before their Lordships' notice, because, following the example of the noble Lord (Lord J. Russell), he conceived that he was entitled to find fault or cavil at any appointment made by the First Minister of the Crown, and because he believed this appointment to be opposed to the universal feeling of the country. He therefore wished to ask the noble Marquess opposite, whether the published documents to which he had referred were authentic and official; secondly, whether it was the determination of the Government to persevere in the appointment to which they referred; and, thirdly, whether it was the determination of the Government to take measures between this and the termination of the recess, and before the return of the right rev. prelates from their dioceses permitted them to attend that House, to confirm that appointment, and thus to prevent any noble Lord moving an address to Her Majesty, if he should so think fit, on the subject of the appointment, before it actually took place? Whether, in other words, Her Majesty's Ministers intended so to hurry forward the measures connected with the appointment as to prevent it being discussed in their Lordships' or the other House of Parliament by those who thought the appointment uncalled for, inexpedient, and in every respect unjustifiable?

The Marquess of LANSDOWNE: The noble Marquess gave notice yesterday of his intention to put two questions on the subject to which he has referred; and

I am sure that the noble Marquess will excuse me, if, understanding those questions, I confine myself to answering them, and not his remarks, which, perhaps, I do not understand so well. The first of the two questions is, whether the remonstrance of the Bishops against the recommendation of the Rev. Dr. Hampden to the see of Hereford, addressed to Lord J. Russell, is an authentic and official document? I apprehend that document not to be an official document; but if the noble Marquess asks me whether I believe that document to be correct and genuine as published (I do not know how published), I have to tell the noble Marquess that I believe it to be perfectly correct. The next question is, whether the Government intends to persevere in that recommendation? My answer to that question the noble Marquess may infer from the best authority—the *Gazette* of Tuesday last, in which he will find notice of the issue to the Dean and Chapter of Hereford of a *congé d'elire*. The next question of the noble Marquess, of which he has given no notice is, whether the *congé d'elire* having been issued, that appointment will be pressed? I have to answer that the appointment will be pressed. The particular moment when it will take place I am unable to state, as that depends on certain forms with which I am not acquainted; but I can assure the noble Marquess that the matter will take the usual course. As to what the noble Marquess has stated as to the constitutional right of the Members of the Legislature to discuss this subject, there is no doubt, if due notice be given of the intention to do so; that due notice being most particularly required on a question directly affecting the prerogatives of the Crown.

The BISHOP of ROCHESTER: My Lords, in the absence of so many of the right rev. Prelates more accustomed than myself to address your Lordships, I feel called upon to make a few observations on this subject. I have filled the office of bishop for thirty-four years, and during that period I have enjoyed the friendship of at least sixty bishops; and I must say that it was with very deep regret that I heard the determination which had been expressed in reference to the appointment in question. I believe that determination has been founded on very erroneous grounds, because, in the answer given to the Bishops, as well as in that given to the lay members of the Church, the noble Lord who wrote them seemed to have entertained the mistaken belief that the opposition had arisen from a certain portion of the Church to whom he alludes in these answers. I can positively state that this is not the case. There is no person more opposed than I am to what are called tractarian principles, and in my own diocese, comprehending upwards of 600 clergymen, the feeling is almost unanimous in opposition to those who are supposed to entertain extreme opinions in the Church. In one district 103 clergymen assembled, all having different views, and yet there were only two dissentients to the address which was agreed to. That address was moved by a person supposed to have tractarian views, and seconded by one supposed to entertain evangelical views. Therefore, I think that the noble Lord is deceived in this respect. I believe the noble Lord has acted from conscientious motives, and I have a great respect for the noble Lord personally, but I regret the determination to which he has come. We are told that the *congé d'elire* is issued. This may be true. I do not know what course the Dean and Chapter of Hereford may adopt. They may possibly decline the election, and in that case Her Majesty has the power of creating the bishop. Therefore, whether they elect or not is only matter of importance as far as regards the expression of their own opinion. But after this there is another step which must be taken. All the bishops in the province of Canterbury are obliged, before consecration, to appear at Bow Church, and go through the ceremony of confirmation, and at that assembly all opposers are called on by the Queen's Proctor to come forward and state whether they have any objections to make. The right rev. Prelate here read, in reference to this ceremony, the following extract from Burn's *Ecclesiastical Law*:—

"A citation against opposers, which (the time of confirmation being first fixed) is published and set up by order, and in the name of the archbishop, at the church were it is to be held, as well to notify the day of confirmation as to cite all opposers (if there be any) who will object against the said election, or the person elected, to appear on that day, according to the direction of ancient canon law. . . . . But if any appear, it seemeth that they shall be admitted to make their exceptions in due form of law. To which purpose, a passage in Collier's *Ecclesiastical History* (vol. ii., page 745) is applicable:—'Soon after the recess of Parliament, Bishop Laud was translated from Bath and Wells to London, and Montague promoted to the see of Chichester. Before he was consecrated an unexpected rub was thrown

in the way. At the confirmation of bishops there is a public notice given that if any person can object either against the party elected or the legality of the election, they are to appear and offer their exceptions at the day prefixed. This intimation being given, one Jones, a bookseller, attended with the mob. Appearing at the confirmation, he excepted against Montague, as a person unqualified for the episcopal dignity; and, to be somewhat particular, he charged him with Popery, Arminianism, and other heterodoxes, for which his books had been censured in the former Parliament. But Dr. Rives, who then officiated for Brent, the vicar-general, disappointed this challenge.'"

Now, these are my grounds for believing that if this appointment should be brought before the proper tribunal, it might not yet take place. I myself should be satisfied with its being brought before the proper tribunal. I have not the honour of knowing Dr. Hampden; but, with the exception of his holding what I conceive to be erroneous doctrines, I believe him to be a very estimable person. If the appointment were brought before the proper tribunal, no doubt the result, whatever it might be, would be satisfactory; but until it is so brought, my objections will remain in full force. I must state that I, for one, many years ago, informed candidates for holy orders from Oxford, that I should require them to have a certificate, not from the Regius Professor of Divinity, but a testimonial from the Margaret Professor. I can only add that, supposing at the confirmation, which is one of the most solemn ceremonies of the Church, and at which it is said by lawyers that bishops are not obliged to confirm against their consciences, any legal objection should be made to the newly appointed bishop, I will be no party concerned in the ceremony.

The MARQUESS of LANSDOWNE said, that as there was no Motion before the House, he certainly should not make any remarks on what had fallen from the right rev. Prelate.

CRIME AND OUTRAGE (IRELAND) BILL.

The MARQUESS of LANSDOWNE moved that the Bill be read 3ª.

The EARL of WINCHILSEA said, that unless some measure more stringent than the Bill now before them were introduced, and speedily passed through Parliament, the condition of Ireland would soon be such as to place that country altogether beyond the control of the Government. The evil was every hour increasing —assassination was every hour driving away from Ireland the best of its landlords. The case had at length assumed the most alarming character; and he must be allowed to say that on the Government the whole responsibility rested—the responsibility of a Bill which, instead of repressing, would, he feared, give direct encouragement to the crimes and outrages which were at present the disgrace of Ireland.

The MARQUESS of LONDONDERRY could not agree with those noble Lords who had thanked Her Majesty's Government for the measure, for he thought the measure was by no means sufficient for the occasion; it was not severe nor stringent enough. Last Session he had laid on the table of the House information that in various places in Ireland arms were publicly sold. He brought down a printed list of those arms, and charged upon the Government the responsibility of such proceedings. It had been said in another place that Lord Clarendon was satisfied with the measure. Would to God he might have reason to be so! but he (the Marquess of Londonderry) feared the noble Lord would find himself under a mistake, for this Bill did little more than give the Lord Lieutenant the power to proclaim a certain number of districts, while the great evil was allowed to remain, namely, leaving the people in possession of arms. He (the Marquess of Londonderry) thought there should be a general search for arms throughout the country, for as long as the indiscriminate use of arms was permitted, it would be impossible to prevent secret assassination.

Bill read 3ª and passed.

PUBLIC WORKS (IRELAND).

House in Committee. House resumed, and Bill reported without Amendment.

The EARL of DEVON moved, that "the Standing Orders No. 26 and No. 155 be dispensed with," in order that the House should immediately proceed with the remaining stages of the Bill.

LORD MONTEAGLE rose and protested against a Bill of this importance being hurried through Parliament. This was a Bill which, if it were to be entertained at all, required the deliberate consideration of Her Majesty's Government; yet within two days of the close of the Session it had been sent up for their Lordships' consideration. He was not prepared to deny that some attention had not been given to it in another place; but that ought not to supersede the consideration of it by their Lordships. The principal objections to the Bill of last year were, that works were

incautiously undertaken—that there was a great waste of public money, and a great malversation of funds. For himself, he wondered under all the circumstances not that abuses had existed, but that they had not existed to a much greater extent than they had done. Under that Bill enormous sums of money had been voted, and enormous works undertaken, and as a natural consequence of stopping the supplies, enormous works had been left unfinished, and some of the best communications in the country had been completely destroyed. Such being the case, no doubt it was necessary to complete certain of those works. But how did they propose to do it? By introducing a Bill containing all the objectionable portions, with none of the safeguards of the former Bill. He objected altogether to the system of special sessions. Let him give a specimen now of a special sessions—take for example that presided over by his noble Friend near him (the Earl of Devon). Why, his noble Friend, universally esteemed as he was, and those who assisted him, had no more power of controlling the acts of those sessions, than they would have of arresting the tide under London-bridge. The power was wrested entirely out of their hands by the mob; and his noble Friend, in his own town of Lucan, was obliged to have the military called out, in order to keep the semblance of regularity. The consequence was, that there could be no deliberation; force carried the day, the mob ruled, and his noble Friend, who was responsible for the law, had not a shadow of authority. They were now again going to bring into action that old broken mechanism at a time when the people were more exasperated even than last year; and they none of them knew what powers they were going to give those sessions. He could assure their Lordships, that under that Bill, in one county alone, no less a sum than 120,000*l.* could be presented by those irresponsible sessions. He objected also to the mode of raising the money, to the rate of interest charged, and to the whole of the powers, such as the diversions of roads, &c., invested in the special sessions. He should be unwilling, however, to ask their Lordships to reject the Bill upon the present occasion; but he trusted that at a future period it might be reconsidered, and with these remarks he left the responsibility in the hands of the Government.

The Earl of DEVON said, the Bill had been introduced in the other House according to the request of a large body of Irish proprietors, who wished it to be passed as soon as possible; they considered that delay would be very injurious. During the last year, many roads in different parts of Ireland were rendered useless by being left in an unfinished state. All that was done by the Bill was to give an opportunity to the proprietors and ratepayers, with their own money, not that of the public, to complete works that were now absolutely useless.

The Earl of ENNISKILLEN very briefly opposed the Bill.

The Standing Orders Nos. 26 and 155 were then dispensed with. After a short discussion, Bill read 3ª.

On Motion that the Bill do pass,

The Earl of ENNISKILLEN intimated that he should divide against it.

Some conversation took place on the point, during which

Lord MONTEAGLE said, he had not intended to divide the House against the measure. but merely to state his objections to it.

House divided on the question that the Bill do pass:—Content 5; Not-Content 4: Majority 1.

Bill passed.

House adjourned.

HOUSE OF COMMONS,

Friday, December 17, 1847.

Minutes.] New Writ.—For Rye, *v.* Herbert Barrett Curteis, deceased.

Petitions Presented. By the Earl of Arundel and Surrey, from David Boswell Reid, M.D., for Production of Correspondence relating to the Ventilation of the New Houses of Parliament.—By Lord John Russell, from Alexander Campbell, of Hampton Wick (Middlesex), for Inquiry respecting the Stockport Election.—From John Simonds, a Prisoner in the County Gaol of Aylesbury, for the Abolition of Church Rates.—By several hon. Members, from an immense number of places, for and against the Removal of Jewish Disabilities.—By Mr. G. Hamilton, from the Parish of Ballinderry, and the County of Antrim, and Mr. Henley, from Shotover, Wheatley, Forest Hill, Horsepath, and Holton, in the County of Oxford, for Inquiry into the Conduct of the Roman Catholic Clergy (Ireland).—By the Earl of Arundel and Surrey, from Roman Catholic Clergymen of York, and from Nicholas Wiseman, D.D., Bishop of Melipotamus, and others, Roman Catholic Clergymen and Laymen, against the Roman Catholic Charitable Trusts Bill—By Mr. Scott, from Inhabitants of several Towns in New South Wales, against the Renewal of Transportation to that Colony.—By Mr. Wakley, from Shefford, for Rating Owners in Lieu of Occupiers of Tenements; and from Clerkenwell, respecting the Improvement of that Parish.—By Mr. W. J. Fox, from Oldham, and Mr. Stafford, from Tipperary, against the Crime and Outrage (Ireland) Bill, and for Measures of Amelioration.—By Mr. P. Grenfell, from the Preston Guardian Society for the Protection of Trade, for Alteration of Law of Debtor and Creditor.—By Mr. Alcock, from Kingston-upon-Thames, for Sanitary Regulations.—By Lord Ashley, from the Parish

of St. Luke's, in favour of the Health of Towns Bill (1847).—By Mr. J. K. Howard, from Inhabitants of Malmesbury, for Reform of the Malmesbury Corporation.—By Captain Pechell, from Matthew Phillips, respecting the State of our National Defences; and from Poor Law Officers, for a Superannuation Fund.—From Ipswich, for the Suppression of Trading in Promiscuous Intercourse.—By Colonel Lindsay, from Manchester, for a Union Settlement.—By Mr. G. Craig, from Dysart, and Colonel Mure, from Polokshaws, for Inquiry respecting Turnpike Roads (Scotland).

CHELTENHAM ELECTION PETITION.

Mr. WALPOLE, in rising to call the attention of the House to the petition of Sir W. Jones, alleging that the recognisance entered by the petitioners against his return was not in the form prescribed by law, and praying that no further proceedings may be had thereon, said, the question was one of much nicety and difficulty, and the facts were as follows: On the 26th of November a petition was presented against the return of the hon. Member for Cheltenham by six different electors. As a condition precedent to the presentation of the petition, it was required by the Act 7 and 8 Vic., c. 103, that petitioners should enter into recognisances according to the form given in the schedule. By a subsequent section it was provided that no election petition should be received unless the certificate of the examiner of recognisances was endorsed upon it to the effect that such recognisances had been entered into. In this case a recognisance had been entered into; but the recognisance required by the Act had not been entered into, and the variation between the form required by the Act and that the petitioners had entered into, was very material in point of law. The form required by the Act was, that the petitioners should pay all the costs and expenses due and payable from them, and each of them, in the event of the petition being withdrawn. The recognisance entered into by the petitioners omitted the words "and each of them," the legal consequence of which, he believed, was, that if any one petitioner died or withdrew from the petition, any costs which became due and payable by a less number than the six, could not be recovered. Having thus stated the facts, he would now call attention to the law of the case. The two points he would suggest to the House were these: first, that the recognisance not having complied with the provisions of the Act was wholly void; and, secondly, if there were any doubt on that point, that, at all events, the legal effect of the recognisance was materially altered and materially weakened. It must be remembered that the tribunal in question was a statutable tribunal, with a limited authority; the provisions of the Act must, therefore, be strictly complied with, and if any steps taken under it were void *ab initio*, they could not be made valid by any subsequent proceedings. Two cases had occurred under the law on this subject, but both under the late Act, and not under the present. They were the cases of "Brewer and Holtham," and "Ransom and Dundas." (The hon. Gentleman read and commented on these cases.) The first point to be decided was, whether or no the House had jurisdiction in the case. That point, however, happened to be settled in the Wigan case. The difficulty was this: under the 9th George IV. it was provided that the certificate of the Speaker should be conclusive only as to the amount of the recognisance; by the present Act, Clauses 93 and 97, it was provided that the certificate of the Speaker, with reference to the courts constituted under it, should be evidence not alone as to the title, but also as to all matters anterior to it. The decision of the point, therefore, would place the Speaker in an embarrassing position, which induced him (Mr. Walpole) to conclude that the House alone ought to decide it. It was contended that by the 10th section of the Act, the question was taken out of the jurisdiction of the House; but as there must be some jurisdiction somewhere, and as there seemed to be no jurisdiction elsewhere, that jurisdiction, he argued, was therefore in the House. There were three modes of deciding the question, either by appeal to the Speaker, or by reference to a Select Committee, with directions to report thereon; or by Motion in the House that the order for reference to the general Committee be rescinded. But as he preferred adopting that which he deemed the most regular course in the case—namely, the second of those alternatives, he should move that a Select Committee be appointed to inquire into the allegations contained in the petition of Sir Willoughby Jones, Baronet, Member for Cheltenham, presented to the House on the 14th day of December, and to report thereon to the House.

The SOLICITOR GENERAL was much mistaken if a larger and a more important inquiry than that proposed by his hon. and learned Friend was not involved in the petition before the House, namely, whether the House could entertain, or ought to entertain, after the passing of

the Act of Parliament, charges of this kind, and whether it had any jurisdiction in the matter. He submitted to the House that it was not such a court as could entertain the question, and it had no jurisdiction in the case either by way of appeal or by way of review. Moreover, without meaning the slightest disrespect to the House or to any individual Member, he was bound to state that he considered the House a very bad tribunal for the trial of intricate and doubtful points of law. The object of the Act of Parliament was to withdraw from the jurisdiction of the House those questions of intricate and doubtful law which could be best settled elsewhere; and the object of the appointment of an examiner of recognisances—an officer new to Parliament—was, that these questions might be more calmly, simply, and directly considered as points of law in his chambers than they could be in that House. By that Act of Parliament the Speaker was to appoint a fit person to certify as to the sufficiency of the recognisances. [*Interruption.*] Now he could not give a better illustration than that interruption of the unfitness of that House to decide upon difficult and intricate points of law. The 5th section ordained that the Speaker was to appoint a fit and proper person, and that every person so appointed should hold his office during the pleasure of the Speaker. He was to examine into the recognisances, and not to take them for granted—he was to look into affidavits, and see that they corresponded in point of law with the requisitions of the Act of Parliament; and this requisition would be found in the third section. He was to decide upon matters of fact, and the law steps in and says, "Your decision shall be final; whatever you decide, right, or wrong, it is final." But then his hon. Friend said that there were no such words in the clause which desired the examiner to inspect the recognisances. On this point he would beg his hon. Friend's pardon—they were there by implication. He would take the case of an arbitrator. If he was ever so wrong in his law, yet his decision was final. The case was exactly similar: they appointed a fit and competent person to examine into difficult and intricate questions of law, and they left it for him to decide; and for these reasons, he humbly submitted, that they ought to entertain no appeal. In the case of the Wigan election, the House refused to interfere. In the case of the Galway election, otherwise that of the Irish Solicitor General, Mr. Monahan, the following decision was made. By the Act of Parliament an affidavit must be made by the sureties of what they were possessed, and in the affidavit it was stated what they were worth. The examiner rejected the affidavit. There was an appeal made; but the House refused to interfere, and the right hon. Baronet the Member for Tamworth agreed in that decision. [Sir F. THESIGER: The petition in that case was only to extend time.] Yes, but it was refused on the principle that he had already stated. In the case of the Carnarvon election, the House had acted in a similar manner. Lord William Paget presented a petition that he might be permitted to have proper recognisances. They had come up to London, and had them there completed before a magistrate who had not authority; and the examiner of certificates would not permit him to pass his certificate. The petition in the present case had gone out of the House; it was referred to the general Committee for the consideration of election petitions, and they had nothing more to do with it. He suggested to the House to pause before they assumed to themselves a jurisdiction, the consequences of which might be fatal to the interests of the petitioners.

SIR F. THESIGER had endeavoured to form an impartial judgment on the present matter; and he would explain to the House the ground on which he supported the view of the question taken by the hon. and learned Gentleman who made the Motion. It would be proper for the House to recollect that they must be governed by the statute relating to the proceeding. He would first recite the terms of the Act. Now there could be no compromise with an Act of Parliament—we must be imperatively bound by its meaning and terms. He contended, therefore, that the form required for the recognisance must be substantially followed; and if that form was not followed, there was in effect no recognisance at all. Now he believed that the recognisance varied materially in form and substance from that which was laid down in the schedule. The question for the House to decide was, whether under the 10th section the examiner had the power to amend the defect in the Act stated by his hon. and learned Friend the Member for Midhurst (Mr. Walpole). His hon. and learned Friend the Solicitor General said that the certificate of the examiner of recognisances was final and conclusive. This was the question at issue; and he

would point attention to the 14th Clause, which said nothing whatever to the effect that the certificate of the examiner should be final. How, then, was this question to be decided, and at what stage? Because they had allowed defective recognisances to pass, contrary to the Act of Parliament, were they therefore to be completely precluded from going into further inquiry, though everybody was satisfied that those recognisances were not good in law? It was the duty of the examiner, when he found that the recognisances were not according to the Act, to refuse to certify, as had been done in the Galway case. He called upon the House to be cautious how they proceeded, because whatever their determination might be, it might hereafter be questioned in a court of law; and in what position would the House stand if such an unfortunate state of things should arise? Suppose a witness before an Election Committee should commit wilful and corrupt perjury, he might be indicted; but if the proceedings were invalid from the first, he would appeal to any man, whether, if an objection were taken to such a verdict, that objection would not be fatal. Surely the House were not to be told that because they were wrong in the outset they were not to retrace their steps. Why should they perpetuate vicious proceedings?

Sir G. GREY thought that the House should first decide whether they were competent to consider the question at all, before they proceeded to determine in what way they would treat it. The best course, in his opinion, would be to refer it to a Committee, who should report all the facts of the case to the House. The report of the examiner of recognisances was not understood to be final and conclusive in every case; but his decision with respect to the sufficiency of them was considered in that light; and the only cases in which a Committee once appointed could be released were, where the petition was withdrawn, or where the sitting Member did not wish to defend his seat. He thought it a most dangerous doctrine to introduce in reference to a discharged order of the House; for the majority could at any time abrogate the statute by voting for the discharge of an order, whereas it was clearly intended that they should part with their jurisdiction altogether, except in the cases to which he referred.

Mr. BAINES said, the right hon. Baronet the Member for Tamworth, when the Act in question was under discussion, was reported to have said that the object of the Act was to make the decision of the examiner of recognisances final and conclusive, except as to the two cases provided for in the Act.

Sir ROBERT PEEL begged the House would remember that they had to perform judicial functions of the highest importance, and that their decision would affect in a very high degree the rights of the House, as well as of a Gentleman still more deeply interested in it—the sitting Member. Very nice questions of law had been brought forward by two hon. Gentlemen of high legal authority on one side of the House, which were opposed by two hon. and learned Members equally eminent on the other. As for himself, he was inclined to think the House could not feel itself in a position to decide this question judicially; and, looking to the whole case, it appeared the less of two evils to appoint a Committee to report as to the facts of the case. No doubt the intention of the House had been to make the decisions of the examiners of recognisances conclusive, where the proper forms were observed. But here a mistake was made by the officers of the House; and that mistake affected not only the petitioners but the sitting Member, who was deprived of his security against frivolous petitions, inasmuch as the omission of the words from the recognisance would clearly exempt the sureties in case one of them died before the case came on. The error was not merely literal, it was a substantial omission, which would render the recognisance for the payment of the expenses of the petition void, and the officer of the House had certified that to be correct which was not correct. A double injury would be inflicted by the House allowing this case to stand without inquiry—first, the petitioner would be permitted to have the benefit of his own wrong; and next, the sitting Member was deprived by the act of their officer of the protection which the House intended he should receive. All his own impressions were certainly in favour of the finality of the decision of the examiner; but if they insisted on it here, they would act in opposition to the plain dictates of equity, and place themselves in a position wherein they might find themselves met by the decision of a court of justice. He recommended the House to appoint a Committee to make a simple report of the facts of the case.

The CHANCELLOR OF THE EXCHEQUER observed, that if a Committee were appointed to report before the 7th of February, they would have to sit during the vacation, which would cause great inconvenience.

LORD J. RUSSELL said, before the House came to a decision on the question, he wished to guard himself with respect to any future occasion of the same nature, if the House thought fit to go into Committee. After the statement and able arguments of the hon. and learned Gentleman opposite, it seemed difficult for the House not to agree to appoint a Committee. But supposing that it sat, and made a report, there would be then the further question, with respect to which he wished to guard himself against being supposed to give any implied consent to further proceedings. Let the House observe the dangers into which they might be drawn by acting on the principle of the right hon. Baronet and the hon. and learned Gentlemen who had addressed them, and declared that the defect in the recognisance was formal and technical. Any hon. Member could bring forward an omission of a word in the recognisance, and say it was a defect, and upon such a question the House would have to decide a matter which affected the seats of Members belonging to different political parties. He certainly had thought the great advantage of the Act of the right hon. Baronet was, that it excluded all questions of the kind before the House. There might be some difficulty in certain cases as to the exact meaning of the Statute, but it was a very great benefit to be ruled in such a case as the present by the Statute; and if it should please the House to appoint a Committee, and that they should report to the House in favour of taking any course in favour of interference with the existing law, his impression was, that the House should allow the Act to be carried into effect, and should not interfere with any decision resting on the positive directions it contained.

SIR W. JONES regretted that the discussion seemed to have assumed a party complexion. He believed he had not received the protection which the law meant should be extended to him, and he thought it would have been only fair in the Ministry to consent to his being placed in the position which he had lost through no fault of his, but by the act of the officers of the House.

The House divided:—Ayes 134; Noes 125: Majority 9.

List of the AYES.

Adderley, C. B.	Hood, Sir A.
Arbuthnott, hon. H.	Hope, H. T.
Archdall, Capt. M.	Hope, A.
Arundel and Surrey, Earl of	Ingestre, Visct.
Ashley, Lord	Keogh, W.
Bagot, hon. W.	Knox, Col.
Baldock, E. H.	Law, hon. C. E.
Bankes, G.	Lennox, Lord A.
Barrington, Visct.	Lennox, Lord H. G.
Bateson, T.	Lewis, rt. hn. Sir T.F.
Benbow, J.	Lincoln, Earl of
Bentinck, Lord G.	Lindsay, hon. Col.
Beresford, W.	Lockhart, A. E.
Berkeley, hon. G.	Lowther, hon. Col.
Blackstone, W. S.	Lowther, H.
Blakemore, R.	Mackenzie, W. F.
Boyd, J.	March, Earl of
Bramston, T. W.	Masterman, J.
Bremridge, R.	Meux, Sir H.
Bruce, Lord E.	Monsell, W.
Buck, L. W.	Muntz, G. F.
Burghley, Lord	Neeld, J.
Cabbell, B. B.	Newdegate, C. N.
Cardwell, E.	O'Brien, Sir L.
Carew, W. H. P.	Ossulston, Lord
Clive, Visct.	Packe, C. W.
Clive, H. B.	Pakington, Sir J.
Cobbold, J. C.	Palmer, R.
Cochrane, A. D. R. W. B.	Palmer, R.
Codrington, Sir W.	Patten, J. W.
Coles, H. B.	Peel, rt. hon. Sir R.
Compton, H. C.	Peel, Col.
Corry, rt. hon. H. L.	Pennant, hon. Col.
Cotton, hon. W. H. S.	Plowden, W. H. C.
Cubitt, W.	Prime, R.
Deedes, W.	Repton, G. W. J.
Deering, J.	Richards, R.
Disraeli, B.	Rufford, F.
Drumlanrig, Visct.	Scholefield, W.
Drummond, H.	Scott, hon. F.
Duncombe, hon. O.	Seymer, H. K.
Duncuft, J.	Shirley, E. J.
Dundas, G.	Sibthorp, Col.
East, Sir J. B.	Sidney, T.
Farnham, E. B.	Smith, J. B.
Farrer, J.	Somerset, Lord G.
Fitzroy, hon. H.	Sotheron, T. H. S.
Floyer, J.	Spooner, R.
Forbes, W.	Stafford, A.
Forester, hon. G. C. W.	Talfourd, Serj.
Fox, S. W. L.	Taylor, T. E.
Fuller, A. E.	Thesiger, Sir F.
Gaskell, J. M.	Thornhill, G.
Gladstone, rt. hn. W. E.	Tollemache, J.
Gore, W. R. O.	Trollope, Sir J.
Goring, C.	Turner, E.
Grogan, E.	Turner, G. J.
Gwyn, H.	Villiers, Visct.
Haggitt, F. R.	Vyse, R. H. R. H.
Halford, Sir H.	Waddington, D.
Hall, Col.	Waddington, H. S.
Hamilton, G. A.	Wall, C. B.
Heald, J.	Walmsley, Sir J.
Heneage, G. H. W.	Whitmore, T. C.
Henley, J. W.	Willoughby, Sir H.
Hervey, Lord A.	Wortley, rt. hn. J. S.
Hildyard, R. C.	TELLERS.
Hogg, Sir J. W.	Cripps, W.
	Walpole, S. H.

List of the NOES.

Abdy, T. N.
Aglionby, H. A.
Alcock, T.
Anson, Visct.
Bagshaw, J.
Bailey, J.
Baines, M. T.
Baring, rt. hon. F. T.
Barnard, E. G.
Bellew, R. M.
Berkeley, hon. Capt.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Boyle, hon. Col.
Bright, J.
Brockman, E. D.
Brotherton, J.
Brown, H.
Busfeild, W.
Callaghan, D.
Campbell, hon. W. F.
Carter, J. B.
Clay, J.
Cobden, R.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Collins, W.
Cowper, hon. W. F.
Craig, W. G.
Divett, E.
Duff, J.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Ebrington, Visct.
Enfield, Visct.
Evans, Sir De L.
Evans, J.
Fagan, W.
Forster, M.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Gibson, rt. hon. T. M.
Gower, hon. F. L.
Grace, O. D. J.
Granger, T. C.
Grattan, H.
Greene, J.
Gregson, S.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hardcastle, J. A.
Hastie, A.
Hayter, W. G.
Headlam, T. E.
Heathcote, Sir W.
Howard, hon. C. W. G.
Jervis, Sir J.
Jervis, J.
Keating, R.
Keppel, hon. G. T.
King, hon. P. J. L.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lewis, G. C.
Macnamara, Maj.
M'Taggart, Sir J.
M'Tavish, C. C.
Mahon, The O'Gorman
Maitland, T.
Martin, J.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Moore, G. H.
Morpeth, Visct.
Morison, Gen.
Mowatt, F.
Mulgrave, Earl of
Nugent, Lord
O'Brien, J.
O'Connell, J.
Palmerston, Visct.
Parker, J.
Pigott, F.
Raphael, A.
Rendlesham, Lord
Reynolds, J.
Ricardo, O.
Rich, H.
Russell, Lord J.
Russell, hon. E. S.
Salwey, Col.
Scully, F.
Sheil, rt. hon. R. L.
Simeon, J.
Smith, M. T.
Stansfield, W. R. C.
Strickland, Sir G.
Strutt, rt. hon. E.
Stuart, Lord D.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, hon. F. J.
Tufnell, H.
Verney, Sir H.
Villiers, hon. C.
Wakley, T.
Ward, H. G.
Wawn, J. T.
Westhead, J. P.
Williams, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wyvill, M.

TELLERS.

Greene, T.
Romilly, J.

WEST GLOUCESTERSHIRE ELECTION—ADJOURNED DEBATE.

On the Order of the Day for resuming the debate on the West Gloucestershire Election (see *ante* December 14),

SIR G. GREY wished to say, in reference to the Motion just agreed to, that the opinion he had ventured to express to the House as to the construction of the Act, was formed by him after very careful consideration, and, he would add, after a conference with the highest authority in that House. With respect to the West Gloucestershire petition, he retained the opinion he had already expressed, that there being allegations in this case respecting the organisation of an extensive system of bribery, gross immorality, corruption, and intimidation, it would have been better that the parties should have proceeded under the Act of 1842. The witnesses would then have been examined on oath, and the tribunal would have been more strictly judicial in its nature. He still adhered to the suggestion he had thrown out the other day, that the House ought to be guided by the precedents in former cases, and that the case should be referred to the Committee of Privileges. That Committee had been appointed, as was usual at the beginning of every Session, though it had not yet been nominated; and this case, as one of privilege, ought to be referred to it. The Committee had not been nominated for some years past; and the last time it was nominated was upon a case of privilege not precisely similar to the question now coming before the House. One reason why he thought it most desirable they should adhere to the course adopted on former petitions was, that there were, he thought, allegations in this petition into which the House ought not to inquire, and into which, if it did inquire, it would only be to its own degradation. It would be the duty of the Committee to inquire into those matters which might involve the privileges of the House. Under these circumstances he should move as an Amendment that the Petition, instead of being referred to a Select Committee, should be referred to the Committee of Privileges. Of course, if this were agreed to, it would be necessary to nominate that Committee.

MR. WAKLEY had not the least objection to adopt the course suggested by the right hon. Gentleman.

Motion withdrawn.

Petition referred to the Committee on Privileges.

SPANISH IMPORT DUTY ON WOOLLENS.

MR. BANKES said, the noble Lord the Secretary for Foreign Affairs, would, per-

haps, be so good as to answer the question he had put on the previous day.

VISCOUNT PALMERSTON: I have had a communication from Her Majesty's Minister at Madrid, enclosing copies of two decrees issued on the 16th November—the one altering the mode of levying the duty on woollen goods, which alteration tends in some degree to increase the duty; the other decree simply increases the duty upon goods which are composed partly of cotton, prohibiting them in all cases in which the cotton exceeds one-third of the aggregate of the material, and stating that in other cases where the cotton does not exceed one-third, the duty shall be levied according to the material which predominates in the manufacture. Her Majesty's Minister at Madrid stated, in a communication with the Spanish Government, the reasons why he thought those decrees at variance with the principle of commercial relaxation which had been expressed on the part of that Government. I hope that the operation of those decrees will be postponed to a later period, in order to give parties interested time to make their arrangements.

THE BISHOP OF EXETER'S LETTER.

MR. H. GRATTAN wished to put a question as to a letter which had appeared in the public papers, signed "H. Exeter." That letter appeared to him to be one of the most extraordinary nature he had ever heard of; and as Roman Catholic clergymen were assailed for violating the law, and denouncing individuals from the altar, when H. Exeter adopted a course exactly similar, fair play should be observed. The letter of which he spoke contained these words:—

"My Lord, the name Russell ought to be—ever will be, I am sure, in your reflecting hours—a security to us against the application by you of a phrase so sacred as 'the rights of the Crown,' to a matter so foul as the provisions of the statute of which I am writing."

Would the House believe that this foul statute, with its foul provisions, was nothing less than the Act of Parliament by which the power of the Pope to nominate bishops was superseded, and vested in Her Majesty? The next passage was—

"My Lord, the Crown has no right, can have no right (I trust, too, that it will be found to have no power), to force a bishop on the Church whom the Church has just right to reject as a 'setter forth of erroneous and strange doctrine, contrary to God's word.' True, my Lord, the Statute 25 Henry VIII., chap. 30 (the Magna Charta of tyranny), does give to the Crown a power which your Lordship has been pleased to call a 'right' to condemn to prison and to penury any dean or any chapter which may refuse compliance with such a mandate. But no statute has the power to effect the execution of the mandate itself; no statute has the power to make an honest and conscientious chapter to elect, or an honest and conscientious prelate to consecrate to the office of bishop, such a person as I have described above."

Would the House believe that such an Act, passed to give effect to the Royal Supremacy, and guarding it by the penalties of a præmunire, was to be described by a bishop as the magna charta of tyranny? He wished to ask whether the hon. and learned Attorney General had seen the letter addressed to the Prime Minister, and whether the hon. and learned Gentleman would, with the Solicitor General, take into consideration the steps which should be adopted with reference to this insult to Her Majesty's authority, and blasphemy on the Protestant bench and Protestant establishment?

The ATTORNEY GENERAL: I certainly have seen the letter the hon. Gentleman alludes to, but having so much professional business to attend to, I am ashamed to say I have not read it. When the matter is brought before me professionally, or officially, I, in conjunction with my hon. and learned Friend the Solicitor General, will give it our best consideration.

DISABILITIES OF THE JEWS—ADJOURNED DEBATE.

MR. LAW, on resuming the adjourned debate, said, he trusted that he should stand excused to the House for his proposition to adjourn the debate, and for thus affording an opportunity to other Gentlemen, as well as himself, who wished to address the House. The subject was one that had excited considerable alarm throughout the country, and that alarm was increased by the announcement that the noble Lord at the head of the Government had taken charge of the measure, and had invested it with all that weight and authority which was due both to his character and his position. He felt that this measure was a vital one to the constitution of this country, and calculated to shake that constitution to its foundations. The noble Lord admitted that Christianity was part and parcel of the common law of the land; but he made that admission in the narrowest possible terms, as though he insisted upon it only as affording a foundation for criminal proceedings in case of any injurious attack upon the established religion of the country; or of

any one having reviled the Saviour in whom we trust, or in any other way raising a scandal upon religion. But he must inform the noble Lord that Christianity was not only part and parcel of the common law, but that it was the foundation of all the laws of this country; that, as early as the time of Henry VI., it was laid down and established by the Chief Justice of the Common Pleas of that day, and had ever since been acknowledged, that the Holy Scriptures was our common law, on which all manner of laws were founded. Now, with regard to the proposition of admitting Jews into the House, he must urge upon the noble Lord that at no period of our history were Jews ever admissible into Parliament; so that this was a new question altogether. He asked the noble Lord whether he could point out any period in our history—and few were so well acquainted with it—when the constitution of this country was otherwise than a Christian constitution. The Sovereign was of necessity a Christian—the title of the Sovereign to the Crown rested only upon a Christian foundation—nay, the matter was narrowed to this: that the Crown derived and founded its title on the being in connexion with the Church of England. It might be urged that the composition of the Legislature had varied in several essential respects—at one time the national religion was exclusively Roman Catholic—at an earlier period, before the power of the Pope prevailed, it was the ancient English Church, independent of the See of Rome; and since the supremacy of the Pope had been denied, they had, if he might so speak, a more limited national establishment, founded on the Protestant religion. But none of these various constitutional changes had ever affected the constitution itself—it was extended, indeed, to all parties professing Christianity, but it still remained on a Christian basis; and this, therefore, was the first attempt to diminish the character of that House as a Christian Legislature. He did not mean to suggest that any Gentleman who was favourable to the change, had himself withdrawn from the pure doctrines of Christianity; but he meant that, so far as the nation was concerned, this measure would *pro tanto* impeach the Christian character of the Legislature. It was contended that religious liberty was a principle of the constitution, and a right of every British subject. That proposition might be admitted; but, like every other principle of the constitution, individual rights must always be limited by the common benefits of the whole. The noble Lord had referred to the inutility of an oath as a test of Christianity. Now, it might be true that an oath was an imperfect test; but all human institutions were imperfect, and they, as they were bound to take, took the best test they could get. But then, it was said, that justice demanded the admission of the Jews. If so, did not justice equally demand the admission of the millions of their fellow-subjects that were now excluded? And, be it remembered, that every Jew whom they might admit, displaced the existing right of every Christian. [*Laughter.*] This seemed to excite the risible emotions of the hon. Baronet opposite (Sir W. Molesworth), but he had merely stated a fact. He did not mean to say, if the hon. Baronet should succeed in carrying this Motion, that the Christians would not be considerably diminished, or that the number of infidels would not be greatly increased. The noble Lord had stated in the course of his able speech—though it was not so forcible in argument as some others he had heard from the noble Lord—that this question was one of principle, and not of political expediency; and then they were told that this was a debt of justice—that they had been frightened into making concessions to the Roman Catholics, but that here was a fine opportunity of displaying their extraordinary liberality of sentiment—a liberality of sentiment to a small class—which, he must say, might involve a great deal of illiberality to a very large class. The noble Lord said the Jews had already been admitted to the office of sheriffs and magistrates. That the noble Lord well knew, for it was by the Government of which the noble Lord was a leading Member that a Jew was first admitted to the honour of being a sheriff. The answer to this argument, however, was obvious, and it had been frequently given in the course of the debate. It was one thing to place a man in a situation where he was responsible to the law; it was quite another thing to place him in a situation where he would make the laws which were to bind Christian people. Reference had been made to the case of Gibbon as a Member of that House, and to Voltaire and Rousseau, as men who were ready to have taken any oaths and become members of any assembly. He thanked the noble Lord for citing these instances, for Rousseau and Voltaire were

the men who in great part laid the foundation of that horrible revolution by which all the institutions of France were overthrown; and their case distinctly proved the necessity of applying as stringent tests as possible, because they made it apparent that those who were not Christians would at all times be ready to sap the institutions of their country. The noble Lord had passed a high and, he had no doubt, a just eulogium on the personal merits of several gentlemen of the Jewish persuasion with whom he had come in contact. He had no doubt that the recent election for a certain city had afforded the noble Lord opportunities for coming in contact with many of those gentlemen. He knew not whether the noble Lord owed his splendid success at the late election to their efforts —but, if the noble Lord did, the House of Commons should not be called upon to pay the price of that election out of the privileges of the people, by bringing Mr. Rothschild into that House. [Lord J. RUSSELL: Baron Rothschild.] He meant no disrespect to that individual, and he presumed the noble Lord had ascertained that the Gentleman had received Her Majesty's permission to bear that foreign title. The noble Lord, in his peroration, had called upon them in the name of the constitution to concede this right to the Jews; and he went on to say, his glowing fancy warming as he proceeded, that by this measure they would take away the last remnant of persecution from the religion of peace. There was something chivalrous and animated in the style of the noble Lord when he described the admission of Hebrews into a Christian Legislature as taking away the last remnant of religious persecution. But he begged to say if this were persecution, there were many more persecutions still remaining. In fact, the world was beset with disqualifications, which nature herself had imposed. The principle of the noble Lord necessarily implied that any British-born subject—Hindoo or Mussulman—had an equal right of admission with Jews. He was glad that hon. Gentlemen admitted that consequence of their principle, and avowed that their object was to prostrate Christianity, so far as it was considered a qualification for a legislator. He must say, however, he never heard a sentiment in which he more cordially agreed than when the noble Lord, adverting to the opinion of the dispersion of the Jews being penal, said he trusted this House would not have the presumption—the noble Lord might have added the wickedness—to attempt to administer the judgments of the Almighty. He quite agreed with this, but at the same time he could not disguise from himself that the Jews were dispersed over all the nations of the earth; that members even of the same family owed allegiance to different sovereigns, and this must necessarily weaken their attachment to the particular nation in which for the time they happened to be. Before leaving the speech of the noble Lord, he must say that the noble Lord had undertaken a gigantic task; he had seen the fate of a Bill passed in 1752, and repealed in 1753, and the noble Lord might take warning by that event; for if they could find the power to pass this measure now, reaction might certainly be expected at the proper time, and with the reaction something more than the destruction of the particular measure which the noble Lord now proposed. He was sure that many had assented to the admission of Jews into corporations in the belief that that was the extreme limit to which a Christian Legislature could go. The right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) had opposed that measure; but he now, in his new character of representative of Oxford, supported the present proposal. In the absence of the right hon. Gentleman, he would only say, that no doubt the right hon. Gentleman gave full notice to his constituents, during the severe contest which he fought, that he intended to support the Catholic Relief Bill and the Jewish Disabilities Bill—that he intended to assert his independence and retract his former votes. Yet it was not done without a prick of conscience; for the right hon. Gentleman said that it was painful to part even with the title of exclusive Christianity over the portals of the constitution. There was an admission that the title of Christianity was written over the portals of the constitution. But it had occurred to his right hon. Friend, that there was a small difficulty about the prayers of the House; and his right hon. Friend had said that it would be hard upon the Jews to join in a Christian service, and still harder upon the Christians to be deprived of their prayers. Was it, then, a question of principle? His right hon. Friend said, yes; but when it came to the pinch, his right hon. Friend then discovered that practically it would not operate as such, because so few Jews would ever obtain seats in that House; but the principle went to the ad-

mission of Pagans and Hindoos, if not Mahommedans, as well as Jews. The right hon. Gentleman, however, soon reconciled himself to the little difficulty about the prayers; and then digressed into a very nice little episode about the Church, giving to the House all the tittle-tattle of Oxford, which had very little to do with the subject under discussion. His right hon. Friend succeeded in making it pretty clear that he had no very well-defined notions on the matter; and that, with his very great ability, his greatest ability seemed to be in showing that, as Talleyrand used to say, language was given to man to conceal his thoughts. The hon. and learned Gentleman the Member for Devonport (Mr. Romilly), had said, that as soon as he saw a British subject, he would admit him to Parliament; that it was his birth-right, though he was born under a law by which he was absolutely excluded. All he required was, that the individual should be a British subject; and though he was a decided enemy of the Christian faith, the hon. and learned Member would admit him —he would admit into an assembly which was to legislate for a Christian nation a man who had rejected the Saviour of mankind, and who, in 1847, had not changed one iota of the character of firm adhesion to the faith of his fathers. He did not mean to say, that in manner and demeanour the Jews were not persons very acceptable in society, well informed, and temperate in the expression of their opinions; but, though they were ever so gentlemanly, they were not bound by the religious ties which united a Christian people; they had rejected the Redeemer, and yet they applied to be admitted to legislate for a community who looked to the Redeemer as their salvation. His right hon. Colleague had said, that the admission of Jews into Parliament would tend to check the progress of Christianity abroad as well as at home. He entirely concurred in that sentiment, and was satisfied that they could not hope to propagate the Christian religion so long as they exhibited their own indifference to it by consenting to measures like the present. He could not help alluding briefly to the observations of the hon. Gentleman the Member for the county of Buckingham. The ability and lively fancy with which he handled every subject, always obtained for him a willing audience; but upon what ground had the hon. Member put this question? He had said, that the Jews were anxious to uphold the ecclesiastical establishments of the countries in which they lived, and that they did so in China. If, therefore, in China they upheld the religion of China, it was argued that in England they would uphold Christianity. They would not be converted, nor let in others to be converted by them; they were wholly indifferent as to the religion which was held by the country in which they happened to live. Were they, then, the proper legislators for a Christian country? However, the question was much larger, for it was admitted the other night that Hindoos and Mahommedans, as well as Jews, were equally entitled to the privilege claimed. "Let them all in," it was said, "and demolish the institutions of this ancient Christian country." He thanked the House for the indulgence with which they had heard him. He did feel it due to the high and enlightened constituency whom he had the honour to represent, to state to the House what their opinion was on this subject; he should have shrunk from so doing if he had not been urged by an imperative sense of duty; for he did not hesitate to declare, that from the foundation of the monarchy to the present day, this question was, of all others, the most vital. To agree to it would be subversive of the interests of this Christian country; and he therefore implored the House to psuse before it gave its consent to a measure, the consequences of which had not been duly considered. The hour of victory had its pleasures; but the hour of retribution would finally come; and the people of this country would not submit to any measure which left the interests of the State to a Legislature which was not wholly or professedly Christian.

The Earl of ARUNDEL and SURREY was anxious to explain the motives which had induced him to support this Motion. He agreed with the hon. Member for Buckinghamshire, that this question could not have been brought forward more gracefully and with more propriety than by the noble Lord the present Prime Minister, himself a firm and consistent member of the Church, the head of his party, and the advocate of the cause of religious toleration. He was not of age when the disabilities attaching to the Roman Catholics were removed from the Statute-book, and therefore he never himself suffered from those disabilities; but he could remember when his grandfather and father were forbidden to take their proper station in the Legislature. He remembered the strong

feeling amongst the Catholic body at that time, and it was therefore not to be wondered at if he sympathised with the Jews now that they were labouring under similar grievances. But he should not give his vote on account of the sympathy which he felt for that people. He should give it from a higher and a holier motive; for he agreed with the hon. Member for Buckinghamshire that this was a religious question—that religion ought to enter into all the habits of life—into every act of human legislation. He agreed with the hon. Member for Buckinghamshire upon this matter; but, agreeing with the principles he had expressed, and in the conclusion at which he had arrived, he differed from the hon. Gentleman in the mode of arriving at them. The hon. Gentleman advocated the cause of the Jews upon some peculiar claim which he said they had on the Christians; while he advocated it on the general principle of religious freedom. This might appear strange and inconsistent in him as a Roman Catholic, and he might be suspected of insincerity in saying so. It was true that in many nations the Roman Catholic church had been fenced round with legal restrictions and enactments; but he maintained that the will which was bestowed by God on man was not to be bound by such enactments, and limited by such restrictions. Different opinions had from time to time prevailed in the Catholic Church upon temporal questions—opinions not at all connected with the fate of that Church. For centuries it was a general opinion that the Pope had a right to bestow the kingdoms of the earth. That belief had died away. For many more centuries the belief was entertained that it was necessary to institute legal enactments for the protection of religion. He regarded with scorn the idea that there was ground for the slightest doubt of the security of the Christian faith. He did not do so from any reference to human theories, but simply because they were told, upon historical authority, that the gates of hell were never to prevail against the Church of God. But while he regarded with scorn the idea of danger to the spiritual interests of the Church, he knew that it had been ordained that the Church of Christ was to suffer. It had been prophesied that she was to suffer, as well as that the Jews were to be scattered over the face of the earth. He might instance a foreign country to prove the position he was prepared to maintain, namely, that the Church did, in fact, suffer from legal enactments. Take Spain, for example. He did not profess to speak of that country from personal observation, for he had scarcely touched upon her shores; but it was generally believed that the clergy of the Church of Spain were in a corrupt state, and that the laity were in no remarkable degree sensible of the obligations of their moral convictions. He had endeavoured to obtain accurate information on the point, and his own conviction was that the higher orders of the clergy in Spain were pure and exemplary, and that a sufficient number of good priests might at all times be procured without difficulty to recruit the ranks of the hierarchy; but he feared that so far as the lower portion of the clergy were concerned, there was but too much truth in the assertion. He attributed it to the fact that the Church of Spain had been fenced round by legal enactments. She had been habituated to luxury and pomp, and her priests had to some extent degenerated. If all legal restrictions were swept away, heresy, no doubt, would rush in and cover for a time large tracts of the country; but the priests would soon perceive that purity of conduct and good example were necessary on their part to induce the people to approach to them with reverence and affection for the doctrines and dogmas of the Church. Good men would flock around them, captivated by the sanctity of their lives, by their pure conduct and high demeanour, and they would listen freely to the enunciation of heavenly truths from their lips, and yield obedience to their divine authority. Extend the case throughout the world, and the same results would follow. The number of nominal Catholics would be less, but that of zealous Christians would be greater. Heretics, and the whole army of those who had strayed away from the one fold, would come back to the true Church, to yield obedience to her mandate, and to declare their allegiance to her authority. The song of jubilation would then resound throughout the universe, and the nations of the earth would join in the seraphic hymn—

"Gloria in excelsis Deo, et in terra pax, hominibus bonæ voluntatis."

Mr. A. J. HOPE held that there were suspicious facts connected with Judaism. There was no such pre-eminence in the character of the Jews as to entitle them to a relaxation of the terms of the oath, or an abolition of what the noble Lord was pleased to call the "fag-end of a declaration." Seeing, then, that the Jewish na-

tion was in fact a religious order, which had outspread the bounds of England, which recruited itself in every country, and was more subject to self-interest than any other order in the world, they would not be fulfilling their duty to their fellow-subjects, to the Jews themselves, or to the constitution, if they did not watch and ascertain, if possible, what were the objects of the Jewish society, before the House conceded to them those privileges which were claimed for them on the ground of religious toleration. If Judaism were so much better than Christianity, had they endeavoured to impart to their Christian fellow-subjects those more excellent things which they must believe they possessed? Their desire and hope were for territorial power and dominion in that eastern land which they still regarded as their birthright. Every Sabbath-day they prayed for their restoration to the land of their fathers; and the sentiment that formed the common bond of union between the Jews of England, America, and Sweden, was, that they were the rightful territorial possessors of the soil of Palestine. The seven words of the declaration which it was proposed to repeal, were something worth fighting for. They might not have, indeed, the strength of a shadow to save a lost soul; but they were at all events better than a negation of belief, and he should object to any concession to the Jews of our present vantage ground, small as it might be.

Mr. NEWDEGATE said, that a considerable number of his constituents had petitioned the House strongly against the proposed measure; and he considered that the circumstances of the debate had rendered it necessary for him to state his reasons for opposing the Ministerial proposition. This was the more necessary after the speech of the hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), with whom he generally agreed, and from whom he found it painful on the present occasion to differ. That hon. Gentleman, however, was not content with claiming for the Jewish people the privilege of an entrance into that House; but he turned on those who opposed the claim, and accused them of being actuated by a superstitious feeling—nay, by the darkest superstition of the middle ages. The hon. Member assumed that he was justified in preferring that charge, from what fell from the noble Lord the Member for Bath, in the very able speech which the noble Lord delivered in opposition to the Motion. He did not believe that the hon. Member for Buckinghamshire was present during the delivery of part of that speech; but he must say, that that hon. Gentleman entirely misstated the argument of the noble Lord. What the noble Lord said was this, that he would not be actuated, in considering the claims of the Jews, by the supposition that they were under the judgment of the Almighty for having been guilty of the crucifixion of our Saviour; and the noble Lord stated that many doubted as to whether the Jews of England were lineally descended from the identical Jews who committed that great crime, and entailed the consequences upon themselves and their children; but the noble Lord, after adverting to these doubts and differences of opinion among others, distinctly stated, that these doubts did not in his opinion operate in the least upon the consideration of the question. The hon. Member for Buckinghamshire assumed that the Jewish people had not been dispersed by any Divine judgment; and then saddled this assumption upon the noble Member for Bath, who never entertained it. He (Mr. Newdegate) would not offer an opinion upon the point; he did not wish to pronounce judgment as to whether the Jewish people were the objects of the Divine wrath; but of this he was certain, that the Jews professed to believe in the prophecies—that they claimed those that were in their favour, but rejected those prophecies which testified to the judgments that were to overtake that people. Much had been said, and justly said, about the ability, and intelligence, and learning of many of the Jewish people; and the hon. Member for Buckinghamshire had told the House that to that people we were indebted for much of the Divine revelation which we enjoyed. Still it required to be borne in mind that that was the very people who rejected most obstinately the truths which formed the foundation of the Christian belief, and upon which the British Parliament professed to found its legislation; and it was for this reason that he felt it to be his duty to vote against the proposition, because the argument for the admission of every infidel, ay, of every atheist, was irresistible, if admission was to be given to those who, like the Jews, openly—with the best means of information, with the fullest knowledge—most obstinately, and by profession, rejected the Christian religion. The noble Lord (Lord Arundel and Surrey) was prepared to abrogate the Christian

character of the House, and to allow its religious or infidel character to rest on this—the majority of the nation is Christian, and the probability is that the majority of Members in the Legislature will continue to be Christian too. For this, however, the noble Lord could give no satisfactory security: this was leaving the Christian character of the House to rest upon an accident. The noble Lord seemed also to dispute the existence of the unity between the Church and the State. He seemed to think that the connexion between the two was only an accident, and that its continuance depended upon the religious opinion of the majority of the population; and so it did, and so did the rest of the constitution, and of the Crown, depend upon the loyalty of the people; but these were not left to the chapter of accidents. His own opinion was, 'that hitherto the unity of the Church and the State were complete; and a more sure foundation for it stood as a fundamental axiom of the constitution, and involved the title to the throne. The right hon. Gentleman the Member for Oxford University (Mr. Gladstone), in a speech which would surprise many persons more than it surprised him, disputed the proposition of Dr. Arnold, that the Church and the State were in unity. He would give another authority in confirmation of Dr. Arnold's, which, perhaps, the right hon. Gentleman would not dispute—that of Richard Hooker, author of the *Laws of Ecclesiastical Polity*. He was born at Heavitree, near Exeter, in 1553, and died rector of Bishopsbourne, in Kent, in 1600, of whose writings Pope Clement VIII. said—

"This man indeed deserves the name of an author; his books will get reverence by age, for there is in them such seeds of eternity that they shall continue till the last fire shall devour all learning."

Hooker, in book 8, c. 1, h. 5, upon this subject, namely, Church and State one Commonwealth, said—

"The Church and the Commonwealth are names which import things really different; but those things are accidents, and such accidents as may and should always dwell lovingly together in one subject." (B. 8, c. 3, h. 6): "In a free Christian state or kingdom, one and the self-same people are the church and the commonwealth."

Burke, too, no ecclesiastic like Hooker, but a statesman, wrote as follows, namely:—

"An alliance between Church and State in a commonwealth, is, in my opinion, an idle and fanciful speculation—an alliance between two things that are in their nature distinct and independent, such as between two sovereign states. But in a Christian commonwealth the Church and State are one and the same thing. The Church has always been divided into two parts—the clergy and the laity; of which the laity is as much an essential and integral part, and has as much its duties and privileges, as the clerical member, and in the rule, order, and government of the Church has its share."

The noble Lord at the head of the Government seemed to say, what did it matter that they claimed to be a Christian Parliament? and the right hon. Baronet the Member for Devonport brought the question nearly to this—what's in a name? What! did not they profess to be Christians in that House? and, as such, did they not look for those blessings which, if they were Christians, they believed were the heritage only of those who through good report and evil report clave to the name of Christ as their Master and Redeemer? And yet the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) said it mattered not whether they maintained their Christian profession as a body politic or not; for they were just as likely to call down a judgment upon them for the exclusion of the Jews, as for maintaining what was called the Christian character of this House. He (Mr. Newdegate) did not wish to enter into the question of judgments; but he thought that if every man's salvation depended upon his Christianity and his profession of it, the profession of Christianity or its rejection by a nation could scarcely be a matter of indifference. Had it been known that the right hon. Gentleman entertained such sentiments as he had expressed on the subject of the Jews, when he offered himself as a candidate for the representation of Oxford University, he (Mr. Newdegate) was certain that he never would have been returned for that eminent seat of learning. He had entertained doubts as to the part which the right hon. Gentleman was likely to take on many points connected with the Church, and had warned his friends to expect that the two representatives for Oxford University would be found opposing each other on questions involving the vital interests of the Church, if the right hon. Gentleman was returned as the Colleague of the hon. Baronet who had so long and so honourably represented the University; but this he (Mr. Newdegate) had not expected, namely,

that when a question arose such as this which involved the Christianity of the representative assembly of this hitherto Christian country, that the right hon. Gentleman would vote against its Christianity as a body politic. The right hon. Gentleman told the House that he saw great difficulty and danger impending over the Church, and danger even to the perpetuation of the religious service in which the House engaged previous to commencing business; but he voted and spoke in favour of incurring this danger. True, the opponents of the measure had the right hon. Gentleman's hopes, nay, even his prayers; but not his advocacy or his vote. He expressed a hope that the House would remain a Christian assembly, and he prayed that Parliament and Ministers would pay due regard to the interests of the Church; and still he declared it to be his intention to vote for a measure that directly tended to bring about the calamities he pretended to deprecate. The House had heard from that right hon. Gentleman of a petition from a dignitary of the Church, praying that the first step in the course now proposed might be the separation of the Church from the State; and a desire of that kind was growing very strong among the clergy; and could it be a matter for surprise? When they saw the First Minister, for the sake of doing an act of liberality to a very small minority, cast off religion as the characteristic of the Legislature, would not many a man, who never before thought of so doing, seek to withdraw the Church from the immediate influence of the State, when the State set about repudiating religion? But what would be the consequence of that? Would the powers of the Church when separated from those of the State not stand in the independent, and very likely antagonistic, position of two separate nations or kingdoms, and yet within one community? Yet, for all this, the right hon. Gentleman would vote for this measure, and seemed to say, "You seek to retain the title of Christian for the State; I think you will be beaten upon it, and so I will vote against it at once." Why, good Heavens! if this was to be the conduct of those who professed to be leaders—if they were to proclaim themselves, like Falstaff, tired after fighting three hours by the clock—what measures might not pass that House? Hitherto the laws had been passed by a Legislature avowedly Christian, and under the authority of a Queen, who, thank God! must be a Christian, and a member of the Church of England. Christianity had hitherto been the foundation of the law's authority; but if we removed this character from the laws, we could not claim from the people the same reverence for them as before. Obedience to the law would come to be a question simply of might, not of right. In France the connexion with the Church was repudiated in 1830; and in 1831 Judaism was endowed, and the Jews were admitted to seats in the Legislature; but was there such security in that country for the existing order of things that the House desired to imitate the course adopted there? The Roman Catholic Church in France was deserting the Government that had cast it off, were abandoning the Gallican system, and adopting the Ultramontane system of entire dependence upon the See of Rome; and in this country, if there should be induced a desire for the separation of Church and State, the effect upon the Church would be that, shrinking from contact with the State, she would follow those of her members who had gone over to Rome—a prospect which, perhaps, made the Roman Catholic Gentlemen support this measure so anxiously. He did not blame them; they sought the advancement of their own creed. In the eyes of the Church of Rome, the Protestant was no better than the Jew: to her all heretics were alike. Why should Roman Catholics oppose the fusion of different classes of believers, whom they believed were all alike condemned? They, the Roman Catholics, were alone, of all Christians, in his opinion, consistent in voting for this measure; for they despised the Christianity which the State professed, and hoped by aiding in its destruction to give scope and opportunity for establishing their own creed upon its ruins. The time selected for producing this measure might be accidental; but it would have been far fairer to have brought it forward before the general election. The noble Lord (Lord J. Russell) had an unhappy fancy about progress, and had gazed upon it until it had turned him giddy. Of all the bitter fruit sprung from the disastrous seed the noble Lord had sown, the effect of this measure was likely to be the bitterest. From the affirmation or the abnegation of great principles, deep and lasting feelings originated; and the feeling likely to originate from the adoption of this measure, would be fertile in discontent and future changes, and would

prove salutary neither to the interests of Christianity nor the safety of the State.

VISCOUNT MORPETH: I wish to say a few words—and they shall be a very few words—upon the question now before the House. I do not wish to enter upon the general and obvious grounds upon which that question is based, or upon its merits in a constitutional point of view. On that head I found the speech of my noble Friend, who opened this debate, who is at once the leader of the Government and the introducer of this Motion, quite sufficient, and to my judgment perfectly conclusive. And I my also add that I am quite content with the right hon. Gentleman (Mr. Gladstone), who academically represents me the newly elected right hon. Member for the University of Oxford; though he certainly did not serve me with that notice of his intention to vote for the Jews, which the hon. and learned Member for the other University (Mr. Law) thinks he ought to have served upon his constituents. With respect to the constitutional and political view of the question, it is sufficient for me, upon this head, to say that I adopt in the very fullest and widest sense the principle—that when the State requires from any class of its citizens the performance of the duties and the payment of the imposts which the fact of their being citizens entails and imposes, then no differences of religious creed or worship, which do not in themselves lead to practices either illegal or hurtful to the community at large, should operate as an exclusion from any civil rights, dignities, or enjoyments. The other Member for the University of Oxford talks, indeed, of Hindoos and of Parsees. The Motion and the proposed Bill, if the House should be pleased to accede to the Motion of my noble Friend, only contemplate the relief of Jewish disabilities; he, which I think is the part of a statesman, only deals with practical and tangible exigencies; but I must say, for myself individually, that I shrink from no length to which the principle of equality before the law carries us; and I will not be deterred from following that principle consistently by the fear of any such very probable and natural results as a large incursion of Parsee or Hindoo candidates, and their acceptance by British constituencies. But I wish, on this occasion, to offer one or two remarks upon what may be more especially considered the religious view of the question. I confess that it is a view which, on ordinary occasions, I should be very loth to introduce into public discussions and upon the arena of debate; but in this instance I do feel that the objections founded upon religious views, are those which constitute, and which constitute alone, the motives for the opposition which is offered both in this House and in the country to this measure. I did not want even the testimony of this debate to prove to me that there is no personal ill-will towards Gentlemen who profess the Jewish religion: every one has spoken of them with terms of deserved kindness and respect; and certainly those who oppose them do not relish the pleasure, though they may feel the duty, of the moderate persecution which they may think themselves still called upon to administer. I say, then, that I think the opposition that is offered partakes in no degree of a personal character, founded upon the conduct or the bearing of the Jews. I feel, moreover, disposed to offer one or two remarks upon the part of the subject which I have indicated; because I know that some of those who are induced by their convictions of what is required by liberal policy, by charitable and Christian feeling, by the principle of equality before the law, to support the emancipation of the Jews, may yet find in their quiet and earnest homes much doubt and misgiving upon this question of complete emancipation. Now, upon this part of the subject there is no one that I would sooner follow than my noble Friend the Member for Bath (Lord Ashley) because no one can be more convinced than I am both of the sincerity and the warmth of his religious opinions. Those who have followed him, I think, have amply vindicated my noble Friend who moved this resolution from a misrepresentation which I am sure the noble Lord unintentionally cast upon him —but still it pervaded a great part of his speech—when he represented my noble Friend as contending that religion had nothing to do with politics. Now, I understood my noble Friend distinctly to lay down that the province of religion was not apart from politics, but that it ought to influence, inform, and pervade all that we are about, and all that we do. My noble Friend did say that he did not think the essential Christianity of this House consists in, or is made secure by, the form of oath which we take at the table; and he did not think it will be impaired by the admission of a few Jewish gentlemen to Parliament. It would be strange, indeed,

that if the first Christians did not think themselves contaminated by being members of Cæsar's household, we should think our religion endangered by a few Jewish gentlemen taking their seats amongst us. Then with respect to the Legislature of France, my noble Friend alluded to the circumstance of several Jews having been admitted to that Legislature; and the hon. Gentleman the Member for Warwickshire, who has just sat down, called the attention of the House to the condition of France, and asked whether the religious condition of France could be considered satisfactory? Now, I believe I am right in saying, and that I can be borne out in the assertion, that there is more vital religion at present in France, both in the Protestant and Catholic sections, than has before been known. I believe this to be the case. I do not of course only allude to the godless period of the Revolution, but also to the long previous period of the Most Christian kings. I do not think much blame can be imputed to the Church of France, which I believe enjoys increasing power over the people; but which Church my hon. Friend the Member for Warwickshire has reproached for having deserted the State, which he added had cast it off. But it is with the religious bearings of the question that we have to deal. I feel the force of that great Christian canon which has been more than once quoted in this debate. I mean, of course, the rule that we should do as we would be done by, and which embodies the spirit of the whole Christian religion. That canon would be conclusive, as it appears to me, as to the way in which this question should be decided, unless there were some counteracting circumstances or some positive precept that could be adduced on the other side. Now, as far as I see, the positive letter of the sacred writing points in the same direction; as the spirit, unless it is qualified or overruled by some such precept, unquestionably does. For it seems to me pointedly and expressly laid down in the sacred Scriptures, that kindness and respect towards the ancient and peculiar people are acceptable to our common Father; and that neglect and oppression of them are displeasing to him. "Blessing is for them that bless, and cursing is for them that curse." It may be said that this was at a time when they were a favoured and an accepted nation; but, so far from this being a necessary ingredient in the favour enjoined upon other communities and nations to be shown with respect to them, the prophet, when he denounces special curses against Jerusalem, and when he says, "Wo to the bloody city!" and goes on in magnificent strains to describe their utter guilt and abandonment, immediately turns round to the other surrounding nations and says, "Because thou spakest against the land of Israel when it was desolate, and the house of Judah when they went into captivity; therefore will I stretch out my hand upon thee." And then he goes on to utter the well-known and punctually fulfilled predictions against Moab, Ammon, and Edom. The hon. Member for Buckingham delivered many sentiments in his speech which came from him most gracefully and boldly; but, nevertheless, I could not concur in what he laid down as to the general identity between Jews and Christians, though I certainly feel that the more I considered that people as a monument of the special interposition and retributive dealings of Heaven, the more I should be led to treat them with kindness, respect, and tenderness, just in accordance with the classical principle, that when the tree is struck with lightning the bare old trunk is made sacred by the very stroke which rent it. I am glad that no credence was given in the debate to the notion that the proceedings, motions, or measures of Parliament could modify or contravene the preordained decrees of Providence; it being manifest that there would be no end to the evil and mischief that would occur if we took it upon ourselves to interpret the prophecy, instead of humbly obeying the precepts. Something has been said about the Jews being a separate nation; and the hon. Member for Maidstone has contended, that Jews were not fit persons to be admitted to Parliament, because they claimed to be the joint heirs of Palestine. Now I confess it seems to me, that the question whether a person would make a fit representative of a particular constituency—whether his time, or labour, or attention could be devoted to their affairs, is a question exclusively for the consideration of the constituency. No doubt there are many persons in the House far more disqualified fully and faithfully to represent a constituency than members of a race of men who are peculiarly conversant with public affairs, with all financial questions, and who reside for the most part in the very heart of the metropolis. I do not think that Mr. Rothschild would be an unfit representative for

the city of London, from his attention being too exclusively directed towards the land of Palestine and the Jewish Sanhedrim. I do not think I need sympathise with the condition of those 28,000,000 whom the hon. Member for Cambridge represented as being hardly used by having a Jewish Member elected to a seat in this House. Those 28,000,000 are quite enough in number to console themselves. I do not think that any particular Member need be much grieved at the prospect of being superseded by a Jewish representative. I will not touch on the fact that Jews are already jurors, sheriffs, aldermen, and magistrates. It is not because there is so little to add that I am ready to vote for this Motion. If the Jews had nothing, I should be prepared to give them everything. There is only one more point of view in which I wish to put the question. We frequently see better the effect of our own conduct and the bearing of our own policy by somewhat changing our position, and considering what we think others ought to do in circumstances somewhat similar. I do not mean what we should do if we were Jews, and Jews were Christians, because that s sufficiently obvious; but my mind has been directed to this turn of thought by what I have read in a late despatch of the Secretary of State for Foreign Affairs, and which I have no doubt may also be found in the despatches of Lord Aberdeen and his predecessors in office, namely, the earnest and deliberate advice tendered to the Sultan of Turkey, to put all classes of his subjects, Mussulmans, Christians, Turks, and Rayahs, upon the same footing with respect to all civil rights and privileges. I have no doubt that the same advice has been tendered to him by the King of the French, and by his Most Christian predecessors. I think it most admirable advice for the Christian Powers to tender to their Mahometan Ally, and that it can be tendered by the King of the French with perfect consistency. But I own that if we should persist in enforcing exclusion against the Jews, by refusing to adopt the Motion before the House, we should give the Sultan very legitimate grounds for turning round and saying, "I have large and powerful classes of men under my authority, of different races, and professing creeds different from the established religion of my empire; I have turbulent Albanians, who are frequently in revolt; Greeks, notorious for their traitorous correspondence with their co-religionists of other countries; and Maronites, who are constantly disturbing the repose of Mount Lebanon; but I am given to understand that you who tender this advice have a race of men living in the midst of you, singularly remarkable for their peaceable and orderly conduct, distinguished by their loyalty, and no less distinguished by their charity; eminently conversant with the conduct of public business, and who have made large contributions to the national wealth; and yet these persons, so peaceable, so orderly, so loyal, so charitable, so rich, are those whom you continue systematically to exclude from all share in the national representation, and whom you debar from those incitements to and rewards of industry which are common to every other class of the community." I will only hope that if we do so address the Sultan he may not reproach us for having no right to offer him lessons on liberty and toleration. I trust that we may continue to promulgate the maxims of liberty and toleration to all the nations of the world, and that we may leave them no ground for turning round upon us and saying, "Go and do thou likewise."

VISCOUNT DRUMLANRIG said, the remarks he should make upon this question would be short. He should be sorry, standing there for the first time, to express an opinion that the union of Church and State was an utter absurdity; but he thought it must become something like it if the House assented to the proposition now before it. The admission of the Jews to Parliament was totally opposed to the Christianity of our country and of its Parliament. If that House should disregard the promise, "Whosoever confesseth me, him will I confess before my Father who is in heaven,"—if that House should decide that it was a matter of no importance whether they should accept or reject the name of Christ—if they should hold that such a fact as their being Jews or Christians, should have no influence on their thoughts or actions—then he should most decidedly state that this was no longer a question of conscience, but one of mere expediency; but that for the sake of consistency the word Christian should no longer be assumed by the nation, or by that House as its representative. He saw nothing trifling—nothing but what was to be deeply deplored in such a prospect; and, without knowing whether the House was disposed to accept the measure or to reject it, he declared that if his were the only dissent-

ing voice in the whole country, it should be recorded against the Motion. He denied, in the most emphatic manner, that in saying this he was actuated by any feeling of hatred or intolerance towards the Jews as a people or as individuals. He was as ready to bow to the word toleration as any person; but he knew that the word toleration, like the fairest being of the creation, might be employed for the unworthiest purposes. He did not, therefore, oppose this Motion from intolerance towards Judaism, but from deep love to Christianity. The House was called upon to decide whether it should henceforth consist of those only who believed in the Saviour, or whether it should consist also of those who decreed him to be a liar and an impostor. He trusted that on such a question they would not long deliberate, but that they would long continue, as they had ever been, a Christian Parliament.

Sir HARRY VERNEY repudiated the accusation, that Members voting for the proposed measure manifested thereby an indifference to Christianity. As regarded himself, and he believed many Gentlemen sitting near him, he desired earnestly that his conduct should be regulated by the dictates of the religion of Christ; and he must say, that after much consideration he had arrived at the undoubting conclusion that they demanded his assent to this measure. He maintained that such disabilities as those now affecting the Jews did amount to oppression, to be justified only by a necessity arising from the dangerous character of their tenets or conduct, and that in their case no such necessity existed. The Legislature ought to be the exponent of the nation, in consideration of which he could receive as a Member of Parliament a British Jew, or even a naturalised Hindoo, if such a man should come and reside in this country, and by his conduct and qualifications obtain the favour of a British constituency. He should view such a man, one of the 120 or 130 millions of our Indian fellow-subjects, as a witness to the wisdom and justice of our rule, informing us better than any Englishman could inform us, what were the wants and necessities of the natives of the most wonderful empire ever confided by Providence to the people of another nation. Such an individual would obtain an impression of the charitable and comprehensive spirit of our religion that must attract him towards it. The noble Member for the West Riding had pointed out that to such a length this principle would carry us; and he did not shrink from concurring with the noble Lord in adhering to it. The country was not less a Christian country because some 30,000 or 40,000 Jews lived amongst us, nor would the Legislature be less a Christian Legislature if two or three persons not professing Christianity were admitted to it. Members had been repeatedly warned during this debate that the constituencies were hostile to the measure, and would severely visit those who support it. Such threats ought not to be addressed to the House. He reminded them of the remark that fell from the right hon. Member for Oxford University that it was our duty to adopt the course which we believe to be right without being too much affected by opinions prevailing out of doors. He had a very great respect for public opinion, because he believed that in the long run it was generally right. He knew no less fallible human tribunal; and he believed that the time would soon arrive when the public, especially that portion of it the most guided by Christian principles, would concur in the opinion that the adoption of this measure was both just and right.

Mr. HENRY DRUMMOND hoped the House would excuse him if he ventured to offer a few observations upon this occasion, although he was not presumptuous enough to suppose he could place the question in a new point of view. Before proceeding further, however, he must take the liberty of denying the motive—as far as any one could deny a motive—attributed to the opponents of the proposition before the House by the hon. Member for Buckinghamshire, for he could sincerely disclaim being actuated by old prejudices or any unworthy prejudices towards the Jews. Many persons who heard him knew that he was not saying what was untrue, though private reasons induced him not to state more; but he might add, that few Members of that House had taken more pains than he had to become acquainted with the Jews, not only in this country, nor in one condition, but in every country of the world; and he could declare that so far from being actuated by hostility to them, he admired Sidonia almost as much as the eloquent Member for Buckinghamshire himself. But in considering this question, it was necessary to take heed of the spirit which was abroad. When he remembered the petition of Archdeacon Wilberforce—the petitions for the abolition of *præmunire*—when, too, he had heard a Cabinet Min-

ister declare that he was prepared to go to the full length to which the principle involved in the proposed measure could be carried, he could not help thinking that the hon. Baronet (Sir T. Acland) who closed the debate last night hit the right nail on the head when he said that the intense interest which the discussion of this question excited did not regard the Jews, but the Established Church. "This question," it was said, "must be carried." No matter what the division might be to-night; sooner or later the question must be carried. The hon. Member for Oldham said truly enough, that if they refused the Jews this measure, they should throw back Baron Rothschild on the constituency of London, who would return him again, and thus the contest which occurred in Wilkes's case would be revived. That was undoubtedly true. The unhappy electors of London could not a few months ago find one Christian to represent them. Doubtless they were in that unfortunate position still, unless a vast influx of Christianity had poured in upon them since that period, of which, however, he had not heard. The noble Lord told the House last night how very different was the treatment which the Jews now received from the citizens of London from that to which they were subjected many years back. Perhaps it was more in appearance than in reality. In former times they extracted gold from the Jews by means of the thumb-screw; now they extracted it in a more tender but not less efficacious manner—by means of a contested election. He agreed with the noble Lord that there was no law against the introduction of Jews into the Legislature; neither was there any law against the introduction of Turks or women. They heard of many lectures about the rights of women; and not a few persons maintained that they were equal to men in all capacities. Who knew but they might have a Mary Wolstonecraft to adorn the benches of that House? The reason why there was no law to prevent the admission of Jews or other unbelievers into Parliament was, because in ancient times the Church and State were one. Whenever any hostility was displayed towards the Church before the Reformation, the civil power crushed it at once. After the Reformation, King Henry VIII. knocked down Papists on one hand, and Nonconformists on the other; but still the Parliament was of the faith of the Established Church. After that the Nonconformists were let in, and Parliament ceased to be a Church of England Legislature, but still it was Protestant. After that they admitted the Roman Catholics, and the Legislature was no longer Protestant, but still it was Christian. He asserted that this was not now a Church of England House of Commons. Hon. Members all had their own private opinions. The hon. Member for the University of Oxford (Sir R. Inglis) had his private opinions, and other hon. Gentlemen had theirs; but in that House they all had one common mouth-piece and organ. As a private gentleman, the Speaker had, of course, his own opinions; but as Speaker he could not have any. Indeed it appeared to him (Mr. Drummond) that the Speaker was much in the same position as a lady who was asked by counsel what her age was, and who replied, "No particular age; the same age as other people." He conceived that if Her Majesty were to summon the Speaker to the House of Lords, and to ask what was his religious creed, the right hon. Gentleman must answer—not as a private individual, but as the mouth-piece of the House—"No particular creed, but the same creed as the rest." It had been said that the adoption by that House of the noble Lord's Motion would complete the triumph of Liberalism—that it would remove the last remnant of bigotry from the Statute-book. Yes, it would be the triumph of Liberalism; but what was Liberalism? The antagonist and the opponent of religion. Religion was the principle which taught man to reverence God; while Liberalism was that which set him free from all obligation to God. Liberalism left a man at liberty to make, from his imagination, his own God, and taught him to despise the dogmata of the Church. Liberalism taught a man to deny what the Church told him—that everything that was called God, but the God Incarnate, was a false god. Liberalism was just egotism; it led every man to seek his own interest, and that of no other person. That was the religion of France. This country had gone a long way in the same direction. It had been made a matter of boast that there were no longer parties in this country. So much the worse. There was much that was ennobling in a party; but they were now divided into little miserable factions, which could only pretend to a mockery of the noble party warfare of old. There was no man who dared take the lead, because no man knew where he was to lead to. The French Revolution was the triumph of Liberalism.

The Liberals, because they had been tyrannized over by their King, rose up and destroyed him; and because they had been duped by priestcraft, they were not content till they had struck down the priesthood itself. He agreed with the noble Lord (Lord J. Russell), that nothing was so contemptible as to pretend to take interpretations of prophecy as a guide in politics; but there was such a thing as national apostacy mentioned in Scripture, and every man ought to consider how far his opinions and his conduct were calculated to lead to such a result. He also agreed in opinion with the noble Lord, that the fag-end of an oath was not the means by which to secure religious principle. The only mode in which they could secure a really Christian Legislature was, to require certificates from the clergy that the candidates were partakers of the sacraments, and were in connexion with the Church. He maintained that the clergy were alone the competent judges of the Christianity of every member of their flocks. He might say, however, that this country was yet Christian; but if this measure passed, and Jews were admitted into Parliament, that could be said no longer. It would be gross hypocrisy on the part of a Jew to join in the prayers which were daily read in that House; and if this measure were adopted, he considered that, from that time forward, no man should ever dare, in the British Parliament, to pronounce the name of Christ.

LORD G. BENTINCK: I must say, Sir, that I never rose to address the House under such a sense of difficulty as on this occasion. If I consulted my own feelings I should have contented myself, as I have done on all former occasions when Jewish disabilities have been the subject of discussion, with a silent vote; but I feel that I might be supposed to be slinking if I were to do no more than to register my vote upon this Motion. It is with the deepest regret that I feel myself obliged to differ from the majority of those with whom I generally act; and I assure those hon. Friends of mine that no displeasure with which they could visit me could cause me more pain than I now undergo in being compelled to act in opposition to them. I am told that, by the course which I feel it my duty to take on this question, I shall lose my influence and destroy the party with which I am connected. So far as I am myself concerned, the first of these considerations would not weigh with me; but I should indeed feel deep regret if any course which my sense of duty might oblige me to take should even weaken the Protectionist party. That party, however, possesses far too much ability and too much talent to be injuriously affected by any line of conduct which so humble a member of it may adopt; and I would submit to them whether, if on this occasion I could permit myself to become the slave of expediency, and my political principles the handmaidens to self-aggrandisement, I should not do much more to injure the party with which I am so proud of acting, than I could possibly do by adhering to the course I have always heretofore considered it my duty on this question to take.

It may not be within the knowledge of many of those who hear me, that in 1830, and again in 1883, it was my lot, in unison with the Whig party, and with all the surviving friends of Mr. Canning, to support a Motion for the admission of Jews into Parliament. I ask, then, whether anything has since arisen, either in the misconduct of the Jewish nation, or in the more rigid and exclusive principles of Parliament, which should lead me to reverse in 1847 the course which I took in 1830 and 1833?

If, Sir, I could for one moment believe that, by giving my support to the proposal of the noble Lord, I was "unchristianising the Parliament," if I could think that, by admitting the Jews to the last step of the ladder of political equality, from which they have hitherto been excluded, I was lessening the regard of the British people for Christianity, I should be one of the last to assent to the measure. But what is the question now before us? Is it a question altogether new? Are we now for the first time about to admit Jews to power and dignity? You have already admitted them to the rights of electors; you have given them a voice in the appointment of legislators; and it is notorious that the noble Lord opposite would not have been returned for the city of London in the last Parliament, and might not now have been the First Minister of the Crown, had not 600 Jews voted for him at the election of 1841. How, then, can it be said that we are now, for the first time, called upon to admit the Jews to political power, when the fact is, that the First Minister of the Crown virtually owed the majority by which he was returned to the last Parliament—a majority of six only—[An Hon. MEMBER: Nine]—well, a majority of

nine only, to the votes in his favour of 600 Jews ?

But have we not also raised the Jews to almost all the other offices of the State ? In the year 1828 the Corporation and Test Acts were repealed. Well, the House of Commons of that day, and I was a Member of it, sent up that measure for the repeal of the Corporation and Test Acts to the House of Lords in a shape which would not have excluded the Jews from power. It was in the Lords that, in the form of oath which the Act for the Repeal of the Corporation and Test Acts contained, those words "on the true faith of a Christian" were inserted. The Bill came back to this House—and what was the feeling expressed here ? Why, Sir, it was one of universal regret that the Bill had been altered and disfigured. Had it failed to strike Members of the House of Lords or Commons that the insertion of those words tended to the exclusion of the Jews ? Far from it, for a Motion was made by Lord Holland at a later stage of the Bill, to strike out these words, which had been introduced in Committee. That Motion was negatived. I well recollect that on that occasion a Peer, whose high Protestantism and whose high virtues will not be disputed—I mean the Earl of Winchilsea—argued that there was not occasion to strike out those words, as they need not prevent a Jew from taking that oath. "What are the words ?" asked the Earl of Winchilsea—"'On the true faith of a Christian.' Why may not a Jew make a declaration in these terms ? It is not necessary that he should be a Christian to make this declaration. If a Jew make such a declaration, it no more follows that he is a Christian, than it would follow that I should be a Jew if I were to declare anything in this House 'on the true faith of a Jew.'"

But it was soon felt that the exclusion of the Jews from various offices was a great hardship; and the right hon. Baronet the Member for Tamworth introduced a Bill, by means of which Jews can now hold all those corporate offices from which they were then excluded. And, Sir, what are those offices ? My noble Friend the Member for Bath, in a speech so much distinguished for power, so much distinguished for energy, for earnestness, and for eloquence, but still more distinguished by the noble and the generous spirit which made it so remarkable—not condescending in any way to revile the Jews, but, on the contrary, speaking of the Jewish nation in terms which, if his eloquence be successful in excluding the Jews from seats in this House, must afford at least to the Jewish nation at large a balm which, in my opinion, will be more valuable to them as a nation scattered over the civilised world than all that has been said and all that has been written by any other party—my noble Friend drew a distinction between legislative power and executive power. My noble Friend said, that when a Jew was appointed to an office he was responsible to a Christian head; but, let me ask, when a Jew is returned as the representative of a Christian body, is he not responsible to the Christian constituency of which he is the representative ? And if, when returned as the representative of a Christian community, he were to lend himself in this House to any attempt to make laws destructive of their interests as Christians, and to the good of the nation for the promotion of his own religion, what chance would there be that when that Jew returned his trust to a Christian constituency it would be restored to him ? I beg leave to ask whether there are any proofs in the conduct of the Jews of any desire of proselytism; or whether there is anything in the spirit of the Jewish religion, and, above all, whether there is exhibited in the conduct of those Jews who live among ourselves, any spirit of antagonism to the Christian religion ? I saw this evening under that gallery one of the wealthiest and most distinguished Jews in this country; and of him I remember that Sir Robert Wilson stated, in 1830, that he was the president of no less than twenty-eight Christian charities, many of which were charities for the advancement of the Christian religion. Well, then, when you can trust a wealthy Jew, and are glad to have him as the president of your Christian charities, will you refuse to him the right of sitting and legislating in this Parliament, for fear that he may bring destruction on the Christian religion ? I am speaking of Sir Lionel Goldsmid; and I believe that at this moment there is not a Christian charity in the city of London to which Sir Lionel Goldsmid is not a subscriber.

We are nevertheless told that it is only because the citizens of London have returned Baron de Rothschild as their representative that we are now called upon to pass this law; and we are told, also, that if we pass it we shall dissatisfy and

disgust the country. What proof is there, I ask, of this deep feeling of prejudice in the minds of the people of England against the Jewish nation? I recollect that in 1830 the present Lord Ashburton presented a petition in this House from the city of London, and in presenting it he stated that, while the petition was subscribed altogether by 14,000 persons, these signatures comprised the names of eleven Bank of England Directors, of twenty-seven London bankers, of 500 practising attorneys, of 1,110 physicians and medical men, and of 2,600 of the first merchants in London. And are we to be told that we ought to disregard the opinion of a community so large and so enlightened as that of which I have been speaking, because now the citizens of London have dared to confirm the petition which they presented to the House in 1830 by electing the Baron Lionel de Rothschild to represent them in Parliament? Are we to be told that there will be something injurious and dangerous to the British constitution in conceding their prayer, because they have not exercised their right of election entirely in a legal manner? I well recollect that on the same day, when the present Lord Ashburton presented the petition to which I have referred, Lord Brougham also presented a petition, signed by 150 London barristers, among whom were the names of the present Lord Chief Justice of England and of Mr. Baron Alderson. I say, then, it is fair to assume, when this table certainly does not groan under the weight of petitions presented against the Jews, that there is no longer that deep feeling even of prejudice in the country against the Jews, which ought to prevent us from listening to their just demands, backed by the voice of the city of London. My noble Friend the Member for Bath said, "that the Jews of the present day, in proportion to their numbers, presented a much larger list of men of genius and talent than could be exhibited by any Gentile country. Music, poetry, medicine, and astronomy, occupied their attention; and in all those they were more than a match for their competitors." Well, then, what is there in the Jewish race that should prevent us from admitting them to seats in Parliament? You have already trusted them as magistrates and recorders and jurors with the liberty of Christians; the brother of Baron de Rothschild has been appointed to represent the Queen in Buckinghamshire; and last, but not least, by your admission of Jews to fill offices in the corporation of the city of London, you have paved the way for a Jew to be its first magistrate. Already Mr. Salomons has been elected alderman of the city of London, and in due and regular course he will fill the civic chair; and then, filling the civic chair, he becomes *ex-officio* a Privy Councillor. When, therefore, you admit him to the Privy Council, will you forbid him to enter this House, and to assist in its legislation? [Mr. Law was understood to say that the Lord Mayor was not *ex-officio* a Privy Councillor.] It is great presumption in me to differ from the learned Recorder of the city of London; but I can appeal, I think, to the right hon. Member for Tamworth whether the Lord Mayor of London is not *ex-officio* a Privy Councillor? [Sir Robert Peel: Hear! — Mr. Law was again understood to express dissent.] I beg my hon. and learned Friend's pardon; I know it is great presumption in me to contradict the Recorder of the city of London; but I believe that in the event of the demise of the Crown, and in the interval between the death of one Sovereign and the proclamation of his successor, the Lord Mayor of London — (will my hon. and learned Friend now gainsay me?)—is for the time being virtually king of the city; he has the command of the troops, and exercises the whole authority of Government. Nothing, I believe, can be done without the assistance of the Lord Mayor; and in his character as Lord Mayor and Privy Councillor, he must first be summoned to the Council. In contradiction to the learned Recorder, I believe it is the privilege of the Lord Mayor to assume his place on the right of the President of the Council, and that no steps can be taken for the proclamation of the new Sovereign but with the sanction of the Lord Mayor of London. And where in the oath of a Privy Councillor are to be found the words "on the true faith of a Christian?" I beg pardon of the House and claim its indulgence, I promise not to detain it long. This is the oath taken by Privy Councillors: "You shall swear, to the uttermost part of your cunning, wit, will, and power: you shall be true and faithful to the Queen's Majesty our most dear and Sovereign Lady, and to Her Highnesses, heirs and successors, Kings and Queens of England, according to the limitation of the Statute," &c. &c.; and the concluding sentence is as follows: —"All which points being expressed, you

shall faithfully observe, fulfil, and keep to the uttermost of your power, wit, and cunning. So God you help, and by the holy contents of this book." There is not one word about "the true faith of a Christian" in that oath, any more than in the oath of abjuration which I hold in my hand, administered at this table to Roman Catholics upon taking their seats in this House. Now, though there were certainly those who in other days maintained that we were assisting idolatry in admitting our Roman Catholic fellow-subjects to the same rights as ourselves, yet it will surely not be pretended that by excluding the words, "the true faith of a Christian," from the oath of the Roman Catholics, "we rubbed out Christianity from where theretofore it had been written over the portals of the British constitution."

It has been alleged that if we admit, I believe, 18,000 Jews in London, and 7,000 in the rest of the country, making in all some 25,000, to the right of being elected as Members of Parliament, it will be hypocrisy if we any longer pretend to be a Christian Legislature, and continue to offer up our prayers to Almighty God, as is our daily custom; but do hon. Gentlemen not recollect that the prayers we put up are prayers in which the Roman Catholics cannot join, and in which the Unitarians and Socinians and other Dissenters cannot join? and yet has it ever been proposed that we, a Protestant assembly, should forego our worship of the Deity in our own way to suit the convenience either of Roman Catholics or Dissenters? I think this but a weak argument, and one which deserves but little attention at our hands, and I now dismiss it. I cannot but revert to the argument used by the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn), who maintained, that if we were now, under compulsion, and on account of Baron Rothschild, to alter our laws, it would be an encouragement to all large bodies in future to disobey the laws; and so far from being more favourably disposed to listen to the claims of the Jews because the city of London had returned a Jew, he was the more on that account resolved to resist their claims as being claims of a dangerous tendency. Is this the first time that such a state of circumstances has arisen? I, for one, am not much disposed to submit to any clamour or dictation, especially if it came from a body likely to be dangerous; but has the right hon. Gentleman (Mr. Goulburn) forgotten the Clare election? Has he forgotten that he was a Member of that Cabinet, which, awed by the Clare election, instead of adhering to long cherished sentiments like the noble Lord opposite (Lord John Russell), suddenly abandoned all their old opinions, and coming down to this House in their fright brought in a measure of Roman Catholic Emancipation? It was notorious that it was the 40*s.* freeholders of Clare, who by returning Daniel O'Connell carried Roman Catholic Emancipation. Does this argument fall with a good grace, then, from the lips of the right hon. Gentleman the late Chancellor of the Exchequer, whilst attacking the Minister opposite to him? True, I may be told that there was an invidious and petty reservation in that measure of Roman Catholic Emancipation, by which the ceremony was gone through of personally depriving Mr. O'Connell of the fruits of his late victory in the county of Clare; but it was only to make him go through the form of an immediate and unanimous re-election; and I think that there will be no man found disposed to hold up the shameful parts of that measure for present imitation. Far more generous it would have been, as far more generous it will be now, not to look to personal considerations when bringing in a great measure; and I believe I may do the right hon. Gentleman on my right hand (Sir Robert Peel) the justice to say, that it was not through any wish of his that that personal exclusion of the late Mr. O'Connell was made in the Emancipation Act of 1829.

There was another argument used by the right hon. Gentleman the ex-Chancellor of the Exchequer, who seems, when the authority of office is gone, more disposed to be prudish and to attend to the feelings and prejudices of the University of Cambridge, than when invested with official power. The right hon. Gentleman reminded us "that we are possessed of immense wealth and extended empire; and upon us is conferred the high prerogative of transmitting the arts of civilisation and extending the blessings of Christianity to the most distant portions of the earth. That we are essentially a religious people; that our missionaries diffuse the light of the gospel to the furthest points of the globe; and that if we once give them reason to suppose that we ourselves are indifferent to religion, we should certainly oppose in a great measure their exertions in humanising and civilising those to whom

they preach." Surely if any Member of this House ought to be more reluctant than another to put forward that argument, it ought to be the right hon. Gentleman; for the right hon. Gentleman, combining at once the characters of a sugar planter in Jamaica, and of Secretary of State for the Colonies, was, if I mistake not, the very Minister who, in 1830, carried the Act of the Legislature of Jamaica for the removal of Jewish Disabilities to the foot of the Throne; and he is the Minister by whose advice the King in Council sanctioned that enactment. What has been the result of that measure since 1830? Has the light of the Gospel ceased to be shed in Jamaica, and have we lost our high privileges of extending the blessings of Christianity to the colonies? Does the right hon. Gentleman think that this unchristianised Jew House of Assembly in Jamaica has shown itself indifferent to the true interests of religion? Has it opposed the exertions of the English missionaries in humanising and civilising the people? Why, Sir, what did the Jew Parliament of Jamaica do?—for no fewer than five Jews are members of it. Did it not, in 1840, burden itself with increased charges to the amount of not less than 83,000*l.* per annum, for the maintenance and building of Christian churches and schools in that island? Where, then, is the force of the right hon. Gentleman's remark, that the accession of the Jews to the privileges of the constitution, must be detrimental to the interests of the Christian religion? No, Sir, we never can injure Christianity, or outrage the religious feeling of this country, by admitting men who worship the same God with ourselves, and obey the same commandments, to share with us the duties of legislating for a country of which they form a very small, but not an undistinguished portion. I know that to a certain extent —though only to a limited extent—there does exist a prejudice unfavourable to the proposition now before us. That prejudice, as we all know, has been extensively expressed out of doors, though perhaps it has not been as freely expressed within the walls of this House. By those who endeavour to give effect to those prejudices, we have been asked who are these men whom you would admit to a share of legislative power and privileges? are they not the descendants of the Jews who crucified our Lord and Saviour, and who cried out, 'Away with him—crucify him; his blood be upon us and our children?" My noble Friend the Member for Bath has sought to exonerate the English Jews from all implication even by hereditary descent in the guilt of the crucifixion of our Saviour; it is therefore the less necessary for me that I should take up that ground, even had it not been already felicitously expressed in the writings of an eminent Protestant divine, that "Judaism is infant Christianity, and Christianity adult Judaism." Bishop Newton, descanting on the prophecies, bids us "recollect that according to the prophecies, the wicked nations only are to persecute the Jews, while the good nations are to show mercy to and protect them:" that "we should rather be the dispensers of Heaven's mercy, than the executioners of its justice." Not accepting the defence of my noble Friend the Member for Bath, I am ready to admit that the Jews of England may be the descendants of those who committed that great crime against Christianity and God; and yet, when I recollect that among the last words uttered by Him on earth, our blessed Redeemer exclaimed, "Father, forgive them, for they know not what they do;" and when in eight days from this time we are to meet at His table, whose precepts we ought to obey, and whose example we ought to imitate, to implore his mediation, I cannot but feel that we should be ill obeying the precepts and ill imitating the example of our Saviour, if we were now, in defiance of his words, to interpose with our vengeance and say, "No, we will not forgive them, for they did know what they were doing." Sir, let us prefer to follow a maxim common to both religions —"Do justice and love mercy."

Mr. O'GORMAN MAHON rose for the purpose of stating, in explanation of the interruption which he had offered to the hon. Member for East Surrey (Mr. H. Drummond), that if he assented in silence to the definition which that hon. Member had given of Liberalism, he would be afterwards subject to the imputation of having acquiesced in that definition, which he was very far from doing. Touching the matter before the House, he was happy to have an opportunity of fully and unequivocally coinciding in the justice and propriety of the proposition made by Her Majesty's Ministers. He was glad to find that the degrading stigma was to be removed, and that the removal of every disqualification against conscientious belief was to be secured. There were not called upon to enter

upon the abstract question so ably dealt with by the hon. Member for Buckinghamshire, when that hon. Member entered into metaphysical arguments. Yes, the metaphysical arguments; he followed him through those powerful deductions which the hon. Member so ably made. At first he was disposed to dissent from the hon. Member's views; but in the end he was so convinced by the power of the hon. Member's arguments that he was compelled to subscribe to his deductions; and he would not weaken the excellence of the hon. Member's argumentation, by touching on the topics handled in his excellent speech. He should, therefore, throw the hon. Member's speech aside. He would throw it aside, because he should only weaken the effect of the hon. Member's all-powerful argumentation, which the hon. Member put forth with such overwhelming force. Every argument against the Bill he had heard advanced sixteen or seventeen years ago against the admission of himself into that House. Every argument was then urged *totidem verbis* against the admission of Roman Catholics to Parliament. Seventeen years ago he had assisted in returning for his own county a member of his own Church; and he demanded at the bar of that House that the Member so elected should take his seat. The Jews were following that example. It was denied to him, and he was told to retire to the bar and await the decision of the House. And what was that decision? The House recognised the right of the freeholders of Clare to choose their representative; but, because they had chosen one who at that time was inimical to the House, on the ground not that he was not a loyal subject, or did not discharge all the duties of a good citizen, or was unfaithful in the relations of private life—but that he professed a religion which was not then in favour with the majority of the gentry of this country, they were sent back, and were told the representative they had chosen could not be admitted. What was his answer? "Refuse him now, but I will bring him back to this bar;" and he did bring him back, and the House received him. And how did they receive him? Under the influence of that fear which the hundreds, thousands, ay, millions at his back, had brought to bear upon them. What was the distinction between that man who now demanded admission to the House, and the man whom he had brought there? Simply that there were persons in that House who could not swallow the idea or reconcile to themselves the notion that religion ought not to be made a disqualification to a man who sought civil rights. They had argued the question on the general principle; but it was an individual alone who was under their notice. The city of London, in the just and fair exercise of its rights, had, by 7,000 votes, elected as their representative M. de Rothschild. Would they refuse him his seat in that House? Let them do so, and if there were a particle of spirit in the English people, if there were one scintilla of that feeling which animated the Irish when they were under similar circumstances, instead of 7,000 they would have double and treble that number coming to support him. And what was their danger? The allegation was, that if they allowed the Papists to enter the House, the constitution would be ruined; but the old gentlewoman was as flourishing as ever. And would they exclude the Jew because he had not the force of millions at his back? Let them remember what force had extorted from them before, and let them profit by that experience. The Protestant constitution was still clear and free; but if some twenty or thirty Papists could not unconstitutionalise their deliberative assembly—if his hon. Friend the Member for Oxford, whom he valued, and regarded, and loved so much for the friendship with which he had condescended to honour him for many years, and for the admirable consistency with which he had always maintained his own honest and independent principles, had not been unprotestantised by contact with him—if they had associated together so long, and as he trusted they would do for a long time to come, without one symptom of Popery appearing in his hon. Friend—why were hon. Gentlemen so distrustful of their own principles and feelings as to believe that contact with a Jew and an honest man who would not be guilty of equivocation at the table—for that was the question—could injure them? His hon. Friend, at the end of sixteen or seventeen years, remained true to his Protestant faith; and he (Mr. O'Gorman Mahon) remained true to his Popish faith; and both were ready to do their duty to their Queen and country. Why, then, should they tremble to admit a Jew? Perhaps only two or three Jews would be returned; and were they, some 500 or 600 Gentlemen, to be apprehensive, on that ground, of their Christian constitution?

It was still a Protestant House of Commons, and a Pretestant nation, although some fifty-nine or sixty Catholics were admitted into Parliament. It was not less a Christian nation because those men were tolerated. He said tolerated; and if they were faithful to that God whom they had selected for themselves—he would reiterate the phrase, that they had adopted that God for themselves; and let them recollect that they were a very small portion of the human family who had not yet done the same—let the same spirit of toleration lead them to admit the Jew. But, he said again, that this was still a Christian country; and long might it be so, if such were their desire—if such were their desire, for he would say that if to-morrow the dictates of their conscience suggested to them a different course, he hoped they would take it. And here he would address himself to the hon. Member for West Surrey—if that hon. Member thought that his orisons would be more acceptable to the great common Author of their being, if offered in a different strain from that he now adopted, it would be his bounden duty to address Him in that strain, and to avow that he did so; and then what became of his Christianity? He now came to this—that every one in that House swore an oath that no foreign prince, power, state, or potentate had any power, jurisdiction, superiority, or pre-eminence, ecclesiastical or spiritual, in these realms. The hon. Member for West Surrey had so sworn; and yet did he not know that there was a foreign potentate who possessed power spiritual, and exercised jurisdiction, superiority, and pre-eminence in this country? And if such circumstances were within the knowledge of the hon. Gentleman, what became of the sacred obligation of his oath? If, knowing that he had sworn that oath—and he maintained that the hon. Gentleman had precisely in the terms he had stated— ["No!"] The noble Lord seemed to intimate that he had not. [Lord Ashley had not given any such intimation.] What were the words of the oath? That—

"All this I do plainly and sincerely acknowledge and swear according to the express words I am speaking, and according to the plain sense and understanding of the same words, without equivocation, mental reservation, evasion, or secret reservation whatsoever."

He had anticipated that this would prove a disagreeable topic; but he was not the less prepared to apply it and to bring it home to them. The hon. Member for West Surrey (Mr. Drummond) had spoken of Liberalism as being a negation and absence of all religion. He who was a Liberal would tell that hon. Member, that, instead of being a negation of all religion, Liberalism was the absence of all acrimony, of all bigotry, of all sectarian bitterness. Liberalism was a concession to every human being, under the influence of education, of a right to address to the Deity his orisons in whatever terms or shape he might believe to be most acceptable to that Being. The hon. Gentleman had a right to address his God on one side. He (The O'Gorman Mahon) had an equal right to address him on the other. Would the House, then, deny to the Jew the opportunity of making his attestation with the same object as every other Member—that object being to discharge his duty truly to God and his country, adoring that one God common to them all? The Roman Catholics were attempted to be excluded because they were said to be idolaters—because, according to the Protestant notion, they believed too much; they were now seeking to exclude the Jew, because he believed too little; but he called upon them to make at once a concession demanded by justice, reason, and religion.

Lord J. Russell said: I wish, before the debate closes, to say a few words as to the precise Motion I am about to make, and the resolution that I should propose in Committee, if the House go into Committee of the whole House. The right hon. Gentleman who opposed with such great ability last night the Motion I intended to make, asked me what was the precise measure that I meant to propose? The right hon. Gentleman stated, at the same time, that he conceived it went only to the admission of Jews, and to relieving them from the obligation of swearing "on the true faith of a Christian;" while it would not exempt other and Christian Members from the declaration they now make. The noble Lord the Member for King's Lynn has mentioned to-night that the Roman Catholic makes a declaration in which the words "on the true faith of a Christian" do not occur. What I should myself propose is to leave the Protestants to take the declaration they now take, ending with the words, "on the true faith of a Christian;" to leave also the Roman Catholic oath in the shape in which it at present stands; and to propose for the Jews as nearly as possible the words of the oath subscribed to

by the Roman Catholic. To that they do not, I understand, object; if the Roman Catholic oath be proposed, a Jew would be ready at once to take it. This would be the general oath I would propose, leaving out some of the declarations with regard to the power of the Pope, to which, certainly, it is not necessary to ask their consent. The resolution that I should propose would be, when in Committee, that—

"It is expedient to remove all civil disabilities at present existing, affecting Her Majesty's subjects of the Jewish religion, with the like exceptions as are provided for Her Majesty's subjects professing the Roman Catholic religion."

The Bill would be founded on that resolution. The resolution is in the same words as that resolution proposed by Sir R. Grant in 1833, and which was agreed to by the House without a division. I think it necessary to say a few words in reference to some of the observations of the right hon. Gentleman the Member for the University of Oxford. I am quite ready to retain the words of the present oath and declaration so far as they are a sanction. The objection offered to these words, as not conveying an obligation, arises entirely from the distinction made between using an oath as a sanction, and using an oath as a test. In the courts of justice, we ask a Christian to swear on the New Testament, and a Jew to swear on the Old Testament. We make such a man take that oath which is most obligatory on his conscience, and we then use the oath as a sanction by which he will be bound. But it is quite different when you use an oath as a test by which you intend to exclude persons from the House of Commons. I would not trouble the House longer if I were not called upon to correct a misconception of the hon. and learned Gentleman the Recorder for London (Mr. Law). The hon. and learned Gentleman might be supposed to speak with some knowledge on the subject; and, in professing to answer my speech—a course to which I do not object, for each portion of it was open to his criticism—he took the opportunity of making a statement in relation to the late election for the city of London, in which he was most grievously in error. He supposes that my election was carried in consequence of my association with Baron Rothschild on that occasion; and again, that in consequence of the honour which was done me by that election, I was induced to bring in a Bill for the emancipation of the Jews. The hon. and learned Gentleman is mistaken in both these inferences. The fact was, as he might have seen by the public advertisements, that those Gentlemen who were my opponents in 1841, declared they were not inclined to oppose my re-election—that they would be satisfied if the Gentleman who was my Colleague in the last Parliament, and who is my Colleague now, were proposed—if they on the opposite side were allowed to name two other gentlemen adopting their own views. To my election, therefore, they had no objection whatever; and so on my part, I must confess, knowing the trouble, the difficulty, and the risk of a contest—knowing likewise that with my official position it is very inconvenient to be exposed to the enmity of a political party whom I might afterwards have to represent—I would have been very well satisfied if there had been no such severe contest as that which I had to undergo. That party, however, which brought me forward in 1841, and which asked me to stand again, said, as a political party is apt to say in the case of an election, "We are much stronger than our opponents; we will not be content with having two of our own and two of the other side returned; we will have no less than four candidates, and you shall be one of the four." I had then to choose between relinquishing the high honour of representing the city of London, which I was not willing to do, or entering upon a severe contest. I though I was bound to accept the latter alternative, having been carried before, and entertaining a wish again to represent the city. But so far from Baron Rothschild's coming forward being an advantage to me in that election, the circumstance was on the contrary a disadvantage. It was an honour to which he might justly aspire. But when he asked me for my opinion, I told him to pursue his own course, and to do exactly what he thought best; and if he decided upon appearing as a candidate, I said I would be ready to stand with him. Now, as to the other statement, that in consequence of that election I have undertaken to bring forward this measure, the hon. and learned Gentleman is likewise in error. It so happens that for a long series of years, whenever there has been a question of removing religious disabilities before Parliament, I have always given my vote, and several times have spoken in favour of the proposition. As soon as I came into office in the year 1846, a deputation of Jews waited on me to ask me if I was prepared

to bring in a measure relieving them from their remaining disabilities. I said I would not pledge myself as to the terms of the measure I would introduce, nor as to the particular time; but I assured them, if they would be content with my choosing the terms I thought best, and the time I thought most expedient, I would be ready to declare at once that I would undertake such a measure. It was, therefore, not in consequence of anything that happened at the late election that I bring forward this measure. The high authority of the Recorder of London might have misled some persons as to the actual facts of the case; and it is only to prevent misconception that I have ventured at this length to trespass upon the patience of the House.

The House divided :—Ayes 253; Noes 186: Majority 67.

List of the Ayes.

Abdy, T. N.
Adair, H. E.
Aglionby, H. A.
Alcock, T.
Anson, hon. Col.
Anson, Visct.
Arundel and Surrey, Earl of
Bagshaw, J.
Baines, M. T.
Baring, rt. hon. F. T.
Baring, T.
Barnard, E. G.
Bellew, R. M.
Bentinck, Lord G.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, H. G. F.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Blewitt, R. J.
Bouverie, E. P.
Bowring, Dr.
Boyle, hon. Col.
Brand, T.
Bright, J.
Brocklehurst, J.
Brockman, E. D.
Brotherton, J.
Browne, R. D.
Bunbury, E. H.
Busfeild, W.
Callaghan, D.
Campbell, hon. W. F.
Cardwell, E.
Carter, J. B.
Cavendish, hon. C. C.
Cavendish, W. G.
Cayley, E. S.
Clay, J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Cobden, R.
Cockburn, A. J. E.
Colebrooke, Sir T. E.
Collins, W.
Conyngham, Lord A.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Cubitt, W.
Currie, R.
Dashwood, G. H.
Dawson, hon. T. V.
Devereux, J. T.
D'Eyncourt, rt. hn. C. T.
Disraeli, B.
Divett, E.
Duff, J.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Dunne, F. P.
Ebrington, Visct.
Ellice, right hon. E.
Elliott, hon. J. E.
Enfield, Visct.
Evans, Sir De L.
Evans, J.
Evans, W.
Ewart, W.
Fagan, W.
Ferguson, Sir R. A.
Fitzroy, hon. H.
Fitzwilliam, hon. G. W.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Freestun, Col.
Gardner, R.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Gower, hon. F. L.
Grace, O. D. J.
Granger, T. C.
Grattan, H.
Greene, J.
Gregson, S.
Grenfell, C. W.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Hall, Sir B.
Hardcastle, J. A.
Hastie, A.
Hastie, A.
Hay, Lord J.
Hayter, W. G.
Headlam, T. E.
Heathcoat, J.
Heneage, E.
Heywood, J.
Hindley, C.
Hodges, T. L.
Hodges, T. T.
Hogg, Sir J. W.
Hollond, R.
Horsman, E.
Howard, hon. C. W. G.
Howard, hon. J. K.
Humphery, Ald.
Hutt, W.
Jackson, W.
Jervis, Sir J.
Jervis, J.
Keating, R.
Keogh, W.
Keppel, hon. G. T.
King, hon. P. J. L.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lennard, T. B.
Lewis, G. C.
Lincoln, Earl of
Lushington, C.
Macnamara, Maj.
M'Gregor, J.
M'Taggart, Sir J.
M'Tavish, C. C.
Mahon, The O'Gorman
Maitland, T.
Mangles, R. D.
Marshall, J. G.
Marshall, W.
Martin, J.
Martin, S.
Matheson, A.
Matheson, Col.
Melgund, Visct.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Monsell, W.
Morpeth, Visct.
Morison, Gen.
Mowatt, F.
Mulgrave, Earl of
Muntz, G. F.
Norreys, Sir D. J.
Nugent, Lord
Nugent, Sir P.
O'Brien, J.
O'Brien, Sir L.
O'Connell, J.
O'Connell, M. J.
O'Connor, F.
O'Flaherty, A.
Ord, W.
Osborne, R.
Paget, Lord A.
Paget, Lord C.
Palmer, R.
Palmerston, Visct.
Parker, J.
Pattison, J.
Pearson, C.
Pechell, Capt.
Peel, rt. hon. Sir R.
Peto, S. M.
Philips, Sir G. R.
Pigott, F.
Pilkington, J.
Pinney, W.
Price, Sir R.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Robinson, G. R.
Romilly, J.
Russell, Lord J.
Russell, hon. E. S.
Sadleir, J.
Salwey, Col.
Sandars, G.
Scholefield, W.
Scrope, G. P.
Scully, F.
Seely, C.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sidney, T.
Smith, J. A.
Smith, M. T.
Smith, J. B.
Smythe, hon. G.
Somers, J. P.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stanley, hon. E. J.
Stansfield, W. R. C.
Staunton, Sir G. T.
Strickland, Sir G.
Strutt, rt. hon. E.
Stuart, Lord D.
Stuart, Lord J.
Talfourd, Serj.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Tollemache, hn. F. J.
Towneley, J.
Townley, R. G.
Turner, E.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Villiers, hon. C.
Vivian, J. H.
Wakley, T.

Wall, C. B.
Walmsley, Sir J.
Ward, H. G.
Watkins, Col. L.
Wawn, J. T.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wortley, rt. hon. J. S.
Wrightson, W. B.
Wyld, J.
Wyvill, M.

TELLERS.
Hill, Lord M.
Tufnell, H.

List of the NOES.

Acland, Sir T. D.
Adair, R. A. S.
Adderley, C. B.
Alexander, N.
Alford, Visct.
Archdall, Capt. M.
Arkwright, G.
Ashley, Lord
Attwood, J.
Bagot, hon. W.
Baldock, E. H.
Baldwin, C. B.
Bankes, G.
Barrington, Visct.
Bateson, T.
Benbow, J.
Beresford, W.
Blackstone, W. S.
Blakemore, R.
Boldero, H. G.
Bolling, W.
Boyd, J.
Brackley, Visct.
Bramston, T. W.
Bremridge, R.
Broadley, H.
Brooke, Lord
Brooke, Sir A. B.
Brown, H.
Bruce, Lord E.
Buck, L. W.
Burghley, Lord
Burroughes, H. N.
Cabbell, B. B.
Carew, W. H. P.
Chichester, Lord J. L.
Clive, Visct.
Clive, H. B.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cocks, T. S.
Codrington, Sir W.
Cole, hon. H. A.
Coles, H. B.
Colville, C. R.
Compton, H. C.
Coope, O. E.
Corry, rt. hon. H. L.
Cotton, hon. W. H. S.
Courtenay, Lord
Cripps, W.
Currie, H.
Deedes, W.
Deering, J.
Douro, Marq. of
Drumlanrig, Visct.
Drummond, H.
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Duncuft, J.
Du Pre, C. G.
East, Sir J. B.
Edwards, H.
Egerton, W. T.
Euston, Earl of
Farnham, E. B.
Farrer, J.
Filmer, Sir E.
Floyer, J.
Forbes, W.
Forester, hon. G. C. W.
Fox, S. W. L.
Fuller, A. E.
Godson, R.
Gooch, E. S.
Gordon, Adm.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Granby, Marq. of
Greene, T.
Grogan, E.
Gwyn, H.
Haggitt, F. R.
Hale, R. B.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Harris, hon. Capt.
Heald, J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Hervey, Lord A.
Hildyard, R. C.
Hill, Lord E.
Hodgson, W. N.
Hood, Sir A.
Hope, A.
Hornby, J.
Hughes, W. B.
Ingestre, Visct.
Ireland, T. J.
Jolliffe, Sir W. G. H.
Jones, Sir W.
Knightley, Sir C.
Knox, Col.
Lennox, Lord A.
Lennox, Lord H. G.
Leslie, C. P.
Lindsay, hon. Col.
Littleton, hon. E. R.
Lockhart, A. E.
Lockhart, W.
Lowther, hon. Col.
Lowther, H.
Mackenzie, W. F.
M'Naghten, Sir E.
Mahon, Visct.
Manners, Lord C. S.
Manners, Lord G.
March, Earl of
Masterman, J.
Maunsell, T. P.
Meux, Sir H.
Moody, C. A.
Moore, G. H.
Morgan, O.
Mundy, E. M.
Mure, Col.
Neeld, J.
Neeld, J.
Newdegate, C. G.
Noel, hon. G. J.
Ossulston, Lord
Packe, C. W.
Pakington, Sir J.
Palmer, R.
Patten, J. W.
Peel, Col.
Pennant, hon. Col.
Plumptre, J. P.
Plowden, W. H. C.
Prime, R.
Raphael, A.
Reid, Col.
Rendlesham, Lord
Renton, J. C.
Repton, G. W. J.
Richards, R.
Rufford, F.
Scott, hon. F.
Seymer, H. K.
Shirley, E. J.
Sibthorp, Col.
Smyth, Sir H.
Somerset, Lord G.
Somerton, Visct.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stuart, H.
Sturt, H. G.
Taylor, T. E
Thesiger, Sir F.
Thompson, Ald.
Thornhill, G.
Tollemache, J.
Trevor, hon. G. R.
Trollope, Sir J.
Turner, G. J.
Tyrell, Sir J. T.
Villiers, Visct.
Villiers, hon. F. W. C.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Walpole, S. H.
Wellesley, Lord C.
West, F. R.
Whitmore, T. C.
Willoughby, Sir H.
Yorke, hon. E. T.

TELLERS.
Inglis, Sir R. H.
Law, hon. C. E.

House in Committee. Resolution—

"That it is expedient to remove all civil disabilities at present existing affecting Her Majesty's subjects of the Jewish religion, with the like exceptions as are provided with reference to Her Majesty's subjects professing the Roman Catholic religion."

Resolution reported and agreed to.

On the question that the Bill be brought in,

SIR R. H. INGLIS said, he apprehended what the House had done in Committee had been to give his noble Friend leave to bring in a Bill to carry into practical effect the resolution he had moved. From the general feeling which pervaded the discussion for two nights, he presumed the House would not desire to come to a division on the first reading. For his own part, after the declaration he had made the other evening, he should be very unwilling to be party to such a proceeding. He hoped, however, that his noble Friend would give ample time for the consideration of the measure when it came to a second reading, and would fix a day at such an interval as would give opportunity for a Christian country to express its sense of the violence and outrage which he contended the Bill, if introduced, would perpetrate upon the people. He felt very strongly upon this subject; and, sharing as he did those feelings with a very large

body who formed at least an important minority, he trusted his noble Friend would afford ample time for the discussion.

Lord J. RUSSELL: I propose, if the House allow me to introduce a Bill, to bring in that Bill on Monday, and it having been read a first time, I shall not propose the second reading of course till after the recess. That will give six weeks for the country to consider the measure; but, after the recess, I propose to name an early day, Monday, the 7th of February, for the second reading. My hon. Friend observed that this Christian country ought to express its opinion upon this measure. The country contains many millions of Protestants and Roman Catholics, and some 20,000, 30,000, or 40,000 Jews. I imagine if this Bill receive the assent of Parliament, the country will be still as much—neither more nor less—a Christian country with its millions of Christians and its 30,000 Jews, unless, indeed, my hon. Friend were to propose to expel the Jews, like the Moriscoes from Spain.

Bill to be brought in.

NEW PALACE OF WESTMINSTER.

Sir R. H. INGLIS moved—

"That a Select Committee be appointed on the present state of the New Palace at Westminster, with a view to the reception and accommodation of this House therein, and the probable expense of its completion; and also to inquire into the present state of Westminster-bridge.

Mr. OSBORNE was sorry to be obliged to oppose anything proposed by the hon. Baronet; but he considered he would not be doing his duty to the country if he permitted an individual Member of Parliament, however respectable, to propose a Select Committee, of which the great majority of the House could not approve. He had said, the other night, that a job had been effected in this business. He had no intention in saying so, of hurting the feelings of Mr. Barry or of the most sensitive Commissioners of the Woods and Forests; but since that time he had discovered that the affair resolved itself into a charge of a graver nature, inasmuch as in the report of the Commission appointed by the House of Lords, in 1844, he found that Mr. Barry was distinctly charged with having broken his contract, and laid out sums of money without the sanction of Parliament. He would not, at that late hour, trouble the House with the evidence of this, but would content himself, in the meantime, with opposing the Committee until they obtained some further information on the subject.

Viscount MORPETH had suggested to the hon. Member for Oxford (Sir R. H. Inglis) whether, under the circumstances, it might not be better to delay the appointment of the Committee till after Christmas; but it seemed to be the general wish that they should constitute the Committee at present. The returns which had been moved were prepared, and would be laid on the table of the House on Monday next. He hoped the House would, in the meantime, accede to the appointment of the Committee.

Dr. BOWRING thought that the Committee should not be nominated until after the documents connected with the subject were presented to the House.

Mr. M. MILNES said, that if the architect were to be bullied, and unnecessarily limited as to time and expense, it would be impossible to expect a work of art worthy of the age and country. He maintained that no work of art of the same magnitude had ever advanced more rapidly than this had done.

Mr. AGLIONBY said, the subject was one rather for discussion in that House, than for inquiry before a Committee. At all events the Committee should be postponed till a later period, until they had seen the returns. It had been stated, that although the estimates did not amount to 800,000*l.*, the expenditure had already been 1,500,000*l.* When a statement to this effect was made last night, he understood the noble Lord (Lord Morpeth) not to call in question the accuracy of the figures; and he should like to hear from the noble Lord, if the statement was incorrect, why he had not last night corrected it? No one could do a greater benefit to Mr. Barry, in his opinion, than furnish a correct statement of the amount expended on the new buildings.

Mr. WAKLEY, seeing no prospect of this matter being brought to a termination that night, would move that the debate be adjourned. There were charges made, not only of large and uncalled-for expenditure, but of serious departures from the original plans. The noble Lord (Lord Morpeth) had promised to lay further information on the table of the House; and he thought that information should be before them, and that a full discussion should take place previous to the appointment of the Com-

mittee. He, therefore, moved the adjournment of the debate.

Viscount MORPETH could state, on the authority of the architect, that the original estimate was 707,000*l.*, and that the expenditure on the works comprised in that estimate was only 808,000*l.*

The Earl of LINCOLN hoped that the most searching investigation would be made into the matter, because he was sure that many of the charges made by hon. Members would turn out to be wholly groundless. Anything more unfair than the course adopted by hon. Members opposite, he had never witnessed in that House, especially as their charges had been directed against a professional man, whose reputation was as dear to him as that of any hon. Gentleman's could be. He knew the keen sense of honour which influenced the conduct of Mr. Barry; and he was confident that none of the accusations brought against him could be substantiated. It was most improper that almost on the last day of the adjournment, and when six weeks must elapse before any answer could be made in that House, serious charges against Mr. Barry should be brought forward. If the appointment of the Committee was to be postponed, why were not the charges postponed also? The noble Lord had promised that full facts should be laid before the House, and when those facts were brought forward they would be able to judge of the whole case. It would be seen from what he had said that he had no wish to stifle this inquiry. He was perfectly sure that Mr. Barry, though he had had no conversation with him on the subject, and had not met him, except by accident in the street, for two years, would also be anxious for inquiry. Last night the hon. Member for Middlesex (Mr. Osborne) had made what he called a light charge, and he said he was prepared to make one infinitely stronger; that he was able to prove that Mr. Barry had expended large sums of money in buildings unsanctioned by the House of Commons. The hon. Member for Bolton (Dr. Bowring) had followed up this statement with a similar one, to the effect that Mr. Barry had done this without the sanction either of the House or the office of Woods and Forests. Now, similar charges were brought against Mr. Barry in 1844, and they were investigated by Committees both of the House of Lords and the House of Commons. The report of the Committee of the Lords he had not read; but he found that the Commons' Committee, in which there were Gentlemen who showed that they acted with great suspicion towards Mr. Barry, after a most minute investigation came to a deliberate conclusion completely exonerating Mr. Barry. He did not say that Mr. Barry had literally kept to every item of the plan laid before the House; but it was distinctly proved that every alteration involving any expenditure of money was laid before the Commissioners and reported to the Treasury, so that it had the proper sanction enforced by the House. He would not have made that statement had he not thought it called for in fairness towards an honourable gentleman, a member of an honourable profession. Would it not be just to Mr. Barry that this discussion should cease —that the Motion and appointment of the Committee should be postponed till after the recess, when the documents promised by the noble Lord should be laid before the House, and Mr. Barry have an opportunity of making any explanations which might be thought necessary? No Commissioner of Woods and Forests was a whit less responsible than Mr. Barry; and being himself involved in those charges, he was anxious, for his own sake, for Mr. Barry's, and for that of all parties, that the charges should be fully investigated.

Mr. OSBORNE was ready to accede to the noble Lord's proposals. He had no personal knowledge of Mr. Barry; he had come forward on public grounds; but it was the present Government and the past that he had singled out. He was prepared to prove that the Commissioners had not discharged their duties, and that the office ought to be abolished.

Viscount MORPETH was glad the hon. Gentleman was prepared to postpone further proceedings. Certain expenses apart from the building, such as purchases, were unprovided for; but he rejoiced, at least, in one result of the discussion, that the hon. Member for Middlesex had pronounced an unequivocal acquittal of Mr. Barry.

Motion withdrawn.

House adjourned at half-past One o'clock.

HOUSE OF LORDS,

Monday, December 20, 1847.

Minutes.] Public Bills.—1ª Audit of Railway Accounts.

Received the Royal Assent.—Public Works (Ireland); Crime and Outrage (Ireland); Railways.

Petitions Presented. From the Parish of Middleton Stoney, against the Admission of Jews into Parliament.—From Tormoham, and other places, for the Imposition of

Heavy Penalties on all Roman Catholic Priests who shall Denounce Persons from the Altar.—From Alnwick, for the Removal of Jewish Disabilities.

ROMAN CATHOLIC ABSOLUTION.

Lord BROUGHAM presented some petitions. He took this opportunity of supplying a defect in the statement which he had made some nights before respecting the important subject of absolution by Roman Catholic priests. The course which he had recommended of forbidding all access of priests to persons under sentence, and which he had described as pursued by the Emperor Napoleon, and by another person of great administrative powers, though less distinguished, had been also followed by a third ruler. The second he had not named—it was General Maitland, when Governor of Malta. He had to deal with mutinous troops; and the refusal of access to their priests when convicts lay under sentence, was known to have produced the most immediate and general effect in preventing the offence. The third example he had through inadvertence omitted to mention—it was that of his illustrious, revered, and beloved Friend—unhappily now no more—the Marquess Wellesley. He, rising superior to all prejudices and all the influence of a false—a misplaced humanity, had, with the manly vigour which ever marked his government, both made it the rule to transfer convicts instantly from the place of judgment to the place of punishment—an invaluable method of increasing the effects of penal infliction by the swiftness of its pace after conviction; and also made it a peremptory provision that from the moment of conviction the prisoners should never see the absolving priest. He (Lord Brougham) entertained no doubt that the most salutary consequences would result at the present time from adopting the same bold and decisive course.

AUDIT OF RAILWAY ACCOUNTS BILL.

Lord MONTEAGLE laid on the table a Bill for providing a more effectual Audit of Railway Accounts. The existing system of audit by persons more or less connected with the governing body, must naturally be open to the suspicion that statements more favourable than the real facts would warrant, might be given out to the world, to induce the public to purchase shares; and, without attributing frauds to the railway companies generally, he could state that accounts had been periodically published, upon the faith of which investments must have taken place, but which proved, when tested before a Committee of that House, to be utterly fallacious, representing as capital subscribed money which had been borrowed from the banker. He (Lord Monteagle) proposed in the present measure, that upon the application of a given number of shareholders, representing a given amount of the stock or capital, the directors should be compelled to submit their accounts to an inspector appointed by the Railway Commissioners, who should report upon those accounts; such application for an independent audit to be made by persons who had been six calendar months in possession of their stock, unless it came to them by inheritance, or bequest, or by marriage. Ill-managed railway companies, if liable to such an inspection as this, in case of apprehensions being entertained by their shareholders, would probably amend their system, and thus the indirect effect of such a measure as this might be greater than the direct; and as for any objection about a supposed invasion of private right, Parliament, which created these companies, might be deemed to be trustees for the public to see that the functions bestowed were rightly exercised.

Bill read 1ª.

POOR LAW (IRELAND).

The Marquess of LANSDOWNE having laid on the table Returns relating to Workhouses in Ireland,

Lord MONTEAGLE said, in the discussion on the poor law, last year, there was no question more discussed than whether the rates were to be levied by union or electoral divisions. Parliament ultimately decided for the rating by electoral divisions; but he understood the Poor Law Commissioners had treated the funds so raised as a common and united fund, and applied them indiscriminately for the purposes of the whole union, thereby in effect introducing that very system of rating which Parliament had refused to sanction. He wished to ask, therefore, if the Government were aware whether the funds so levied were applied to electoral or union divisions?

The Marquess of LANSDOWNE was not aware that there had been any deviation from the course prescribed by the statutes, and trusted nothing had taken place in Ireland which was at all inconsistent with the intention of the Legislature, that the burden referred to should be thrown upon the electoral division.

REAL PROPERTY COMMISSION.

Lord BROUGHAM, in moving for a paper to be forthwith printed—a copy of the Real Property Commission issued last summer, and ordered on his Motion in June —said, that he must state to the House the objects of that Commission. It had been issued in compliance with a report of the Burthens on Lands Committee. That Committee had examined many witnesses upon a most important subject—the burthens to which the owners of land, and those who wished to become owners, were subjected by the defective state of the law regulating the transmission of property by conveyance. The whole labours of the Committee were highly important; but by far the most valuable result of those labours was the body of evidence which the Committee had collected upon the state of the law, and the injurious tendency of its defects. Grounded upon this evidence was the recommendation of the Committee; and it related to four separate heads: first, the improvement of the law of real property; secondly, the simplification of titles; thirdly, the shortening, and generally the improving the forms of deeds; fourthly, the establishment of a general registry. Now he (Lord Brougham) had not, of course, seen the Commission, a copy of which he had moved for, but which from some accident had not yet been presented; but he had occasion to know the substance of the Commission from those who had access to it; and its objects were, not the four which he had described as recommended by the Committee, but only the two last—the forms of deeds, and the registry. No one was more ready than himself to admit the great importance of these two heads. Indeed he had already carried an important Bill upon the first of these two—the shortening and simplifying town leases—and had introduced another more general measure, which stood over for the consideration of the Commission. But he believed he spoke the general sense of those who were anxious for the amendment of the law, and, he might add, of the Commissioners themselves, when he expressed his regret that the two first of the Committee's recommendations had not also been adopted, and that the inquiries of the Commission had been confined to the two last. Indeed, it would be found practically to be impossible that the Commission should satisfactorily execute its duties with respect to the forms of deeds and the establishment of a registry, without having the power of inquiring into the law of real property and the simplification of titles. He trusted that his noble Friends opposite would, during the recess, accede to this recommendation, with the invaluable assistance of his noble and learned Friend, unfortunately absent from illness, but whose improved health, he rejoiced to say, gave a prospect of his speedily attending to this important subject, and that the defect in the Commission would be supplied by an extension of its powers. Nor was this the only subject relating to the amendment of the law that called for their attention. He found it had in some quarters been supposed that, because in giving his late notice of again introducing the Bill for enacting a digest or code of the criminal law, he had given no notice of renewing other measures of legislative improvement—the mention of one excluded the rest—on the contrary, it was his intention to bring forward the other measures also; but he felt unwilling to crowd the book with general notices, because when he gave one it was always specific, and intended to be really followed up. He therefore abstained now from doing more than broaching two subjects which seemed not to admit of delay, because the Government could of itself act, and act efficaciously, respecting both; and, therefore, he wished to point their attention towards those subjects, in order that, during the approaching recess, some progress might be made in dealing with them. The first and, in his view, one of the most important that could occupy the attention of the community, was that which he had at the close of the last Session brought before their Lordships—he meant the bribery practised at elections. Complaining of this enormity after the election of 1841, he had ventured to foretell that at the last election it would be repeated, unless some check was applied. Some of his friends, he knew, differed with him as to the degree in which this had prevailed, his own inquiries having satisfied him that 1847 was worse than 1841. But all were agreed that the crime had been extensively committed, and no one pretended to extenuate its dreadful consequences to the morals of the whole people. Every one allowed that no means should be left untried to lessen, if we could not extirpate, this grievous enormity. But while he denied that the other House of Parliament had any exclusive right to commence proceedings for amending the law so as to reach such offence more certainly, and while he cited, as last Session he had

done, the remarkable precedent of the most important provisions in the Bribery Act of George II., originating in their Lordships' House, and being agreed to by the Commons, he yet must admit that if the Commons were disposed to perform their duty, a Bill relating so nearly to the elections of their Members might appropriately originate in that House —and he felt that it would be fitter for their Lordships only to move in this important matter, in case it should be found that nothing, or nothing effectual, was done in the Commons. He had reason to believe that a Member of that House, a worthy Baronet, already known advantageously to their Lordships as the mover of a Bill which had been approved by the Criminal Law Committee, and had received their Lordships' sanction, and he trusted had produced beneficial effects, he meant Sir John Pakington, was to give notice of a Bill for preventing bribery at elections. And he (Lord Brougham) should therefore only now intimate that in case no such Bill was sent up within a reasonable time, he should feel it his duty to renew his former proposition. Nothing seemed to him more clear than that there was one effectual means of greatly lessening, if not of altogether preventing, the evil complained of. It was what he had stated on the eve of the last election—the compelling every Member returned to take an oath or make a solemn declaration before taking his seat, that he had not, in any manner of way, directly or indirectly, by himself or his agents, given any money, or other thing, or any promise, to any voter or any other person, for any vote; and that he had not paid any money, knowing, or believing that it was to be employed in obtaining any votes, nor had repaid any money which he believed had been paid in obtaining any votes; and solemnly promising that he would not afterwards at any time pay any such money. He was confident that such an oath or solemn declaration might be framed as no man durst take if he knew that he had bribed, or that any persons had bribed for him, or that he was to repay any sum so expended for him; because whoever should venture to do so must know that some half-dozen, or half-score, or possibly half hundred persons, and those not the most trustworthy, or the most likely to keep his secret, would be aware of his having made himself utterly and for ever, and past all forgiveness, infamous—independent of the risk he encountered of the penalties inflicted by the law. But to make this measure, or any such measure as might be resorted to, against offenders effectual by prosecution, one thing was plainly wanted—a party charged with the duty of bringing these offenders to trial. Here our law, not merely as to bribery, but our whole criminal law, was grievously defective—though there was, for obvious reasons, no one branch of that law in which the defect operated more injuriously. The compromises ever made between parties, sometimes because their guilt was common to both, almost always because the interest of the party was different from that of the public, rendered the want of a public prosecutor peculiarly fatal in preventing the detection and punishment of bribery at elections. He (Lord Brougham) had repeatedly directed the attention of Parliament to this defect in our law, become still more glaring since the Bill passed allowing the prisoner's counsel to address the jury in all cases of felony. His evidence in a Committee of the House of Commons was full to this effect. But an Act of Parliament was not in the first instance at least required to begin this great improvement in the law. His noble Friend opposite (the Marquess of Lansdowne) might recollect that in 1834 he (Lord Brougham) and the then Secretary for the Home Department were much occupied in laying the foundation of such a plan, by adopting for the Central Criminal Court, whose jurisdiction extended over a population of nearly two millions, the plan which had long been adopted in Northumberland and the West Riding of Yorkshire —employing regularly a counsel to superintend the prosecution of offenders. The same course being pursued in the metropolis, with certain obvious additions, it would be found so advantageous that little difficulty would have been found in obtaining the legislative sanction to it, and having a public prosecutor with his deputies for the circuits, and his local representatives, as they had in Scotland, in France, and in other countries. He ventured to hope that the Government would turn their attention to this subject during the recess. They had every inducement to adopt salutary measures for amending our laws, when it was found that the rare advantage at present belonged to them of really acting uncontrolled by any opposition. For a time, at least, they seemed wholly free from any such obstruction. He hoped they

would also turn their attention before Parliament again assembled, to another subject; and it was the last he should now mention. He meant the necessity of a department or board for the preparation of Bills to be submitted to Parliament—not, of course, to preclude any one who chose it from propounding his own draught—but to help the Government, and to help the Parliament, and to help individuals if they chose it—and to give us some chance of having our laws framed consistently, clearly, uniformly, and upon a system; instead of each department and each individual using his own language, and all leaving to the courts of law the labour of construing unconstruable Acts, and to the subject, of being governed by unintelligible laws. This was a subject of the greatest moment. As often as he had called their Lordships' attention to it, so often had he experienced the most unhesitating and universal acquiescence in his opinion. Yet nothing had been done by any Government to remedy the defect which all either complained of or acknowledged. The Law Amendment Society, of which he had, though unworthy, the honour to be president, had presented a report upon this important subject above two years ago, to Sir Robert Peel, then Minister, and Lord Lyndhurst, then Lord Chancellor—and by both the proposition had been, he believed, favourably received. He ventured now to renew the proposition because the time was favourable to its reception, not only from the circumstance he had already adverted to, but from the accident that the place of Government Counsel for drawing Bills was vacant. He trusted the opportunity would be immediately taken of appointing a Board for the important purpose in question—the functions being such as must of necessity be exercised by a Board, if there was any intention that they should be performed with any prospect of advantage to the Parliament or the country. He made no apology for having detained their Lordships with these suggestions. He had been governed in the selection he had made of the points to which he desired their attention, by the consideration, that while no immediate notice was required of other subjects, and on some no proceeding without Parliamentary sanction could be effectually had, the subjects to which he had referred, required immediate attention; and all of them could at least in part be proceeded in by the Government without legislative provisions.

STATE OF PUBLIC BUSINESS.

The Marquess of LANSDOWNE moved that the House do now adjourn to Thursday, February 3, 1848.

The Earl of ELLENBOROUGH said, he wished to make a few observations on the Motion for adjournment now made by the noble Marquess. He could not agree in the expediency of Parliament separating at this moment. Since they were met together, it would be far better to go on and transact public business at a period of the year when Members really would attend, rather than be called upon to sit in July, when, in practice, few would, and measures would be shuffled through Parliament in a manner perfectly discreditable to the Legislature. When July came they would deeply regret that they did not put January to a better use. He did not make these remarks on general grounds only, for he thought it was most expedient that Parliament should continue sitting, with a view to the effective operation of the Act for the Prevention of Crime and Outrage in Ireland, which they had just passed. It had been observed invariably that the meeting of Parliament itself, without any act done by it, to a very considerable extent tended to allay disorders, and to check outrages in that country; and now, murder had not been so rife in Ireland since the meeting of Parliament as it was immediately before. The assassination committees had checked their hands; they had felt that the eye and the hand of Parliament were upon them; but if the new Act were put into operation without their still feeling that, and that Ministers were prepared and enabled at any day to press upon the consideration of Parliament, and with all their influence, the further measures which they had said they would propose if this Act should fail, then any man who anticipated great success from this measure would be disappointed. To him (the Earl of Ellenborough) it appeared an Act most inadequate to meet the difficulties of the crisis in Ireland. If the Act itself were sufficient, there was not the force there to carry it into effect. The carrying that Act into effect was not a civil—it was a military operation. To produce full effect, by means of that Act, there must be a winter campaign. It was only by bringing together masses of men, by sudden and secret marches, with a great extent of combination, that the Government could, with the limited means placed by Parliament in its hands, carry the Act into opera-

tion; and he confessed he did not expect from the Irish Government, however he might respect his noble Friend at its head, that perfection of plan, that absolute secrecy in execution, and, above all, that extent of combination with the limited military means placed at its disposal, which would enable it to produce the effect desired by Parliament. Parliament, therefore, should have been kept together, in order that at any moment Ministers might come down to propose further measures, if this should not prove to be sufficient. For the cardinal point for their consideration was the effecting the tranquillity of Ireland; without that we must continue what we are, while that country remains distracted as it is, not a first-rate, but a second-rate power. But since Parliament was about to separate, it might be as well to consider what it had been doing, and for what purpose it had been assembled. His own belief was, that had it not been for the letter to the Directors of the Bank, recommending a step which would have required a Bill of Indemnity, but which was not, in fact, followed by any violation of the law, Parliament would not have been convened; but, being met, it was necessary for the Government to propose some measures for its consideration. What had those measures been? It was really curious to recount them. There was not one measure proposed which was not in reparation of previous and recent error committed by Parliament itself. The measure with respect to Public Works in Ireland was to repair the most inconsiderate, reckless legislation, which took place only eighteen months ago. The noble Earl at the head of the Colonial Department had been compelled to bring in a measure to suspend a constitution which, without sufficient, if any, knowledge of the state of the islands to which it was applied, he thoughtlessly proposed and carried through Parliament, for the establishment of a new Government at the antipodes. It was a measure of reparation of the laches of Parliament, which had been proposed with respect to that monster grievance — railway speculation. To a great extent the Crime and Outrage Bill, which was, in fact, an Arms Bill, was a measure in reparation of the error committed by Parliament a year before, when it rejected the Arms Bill then before it. There might be colourable Parliamentary excuses for the conduct then pursued by the House of Commons, in the manner in which that Bill had been conducted through the House; but there was no excuse in the state of Ireland—the state of Ireland demanded the passing of that measure, or a similar one. The first praise which a Parliament should desire to claim was that of doing what was right, and at least seeing that for some few years that which was deliberately adopted remained the law of the land; but that first high object of Parliamentary ambition seemed to be very much beyond the reach of the reformed Parliament, from which we were to expect absolute wisdom. That reformed Parliament, however, certainly did adopt the second line of wisdom, and did most painfully endeavour to acknowledge all its sins, and to undo most promptly what it had done, when it found the mischief it had occasioned. A year ago we had a letter of Mr. Labouchere's—for we were now governed as much by letters as by Acts of Parliament—extending the provisions of an Act passed only six weeks before; and this year we had a letter of two Members of the Government suspending the operation of an Act passed most deliberately three years ago. We were beginning to be governed, not by Acts of Parliament, but by Royal Ordinances. But he was wrong in saying that all the measures of the Session were in reparation of recent errors; there was one measure which some might say was a measure of reparation; but, if so, it was in reparation of a very ancient error—the error of considering it necessary that the Parliament of this country should remain exclusively Christian. A measure for the reparation of that error had been introduced—but measures of a remedial character, to remedy the total absence of all society in Ireland—measures to give security to this country in its defences against foreign States—these were postponed. It was not thought expedient to bring such measures forward in a sudden Session before Christmas. But one measure was brought forward. It was not for a national, not for a public object; it hardly rose to the elevation of a party measure; it was merely of a local and personal nature; it was a city measure, brought forward by a city Member, for the purpose of enabling a Jew *millionnaire* to sit in the House of Commons for the city. All other things could be postponed; but the Government could not postpone the making a sort of *amende honorable* to the Stock Exchange, by giving to a rich operator upon it the distinguished honour, if it were one, of being the first Jew Member of the House

of Commons. Such measures were called bold measures; they were said to characterise a bold Ministry. There was another measure which had cast the brand of discord into the Church; and that, too, was "a bold measure." This was not the boldness which he wished to see in a Prime Minister of this country; he wished to see a Minister who would have the boldness to tell the truth to the people, and to propose only that which he believed to be right; who would unfold to Parliament the full extent of the extreme peril in which the interests of this country stood, and propose manfully the extreme measures by which alone those dangers could be averted, and stake his government upon their success. If instead of that we had mere measures of reparation of recent errors, and no original measures but one of a little, paltry, personal character, questionable in its principle, and abhorrent to the feelings of a large portion of the community, then the fear which he might entertain in regarding the real dangers of the country, increased to dismay when he contemplated the character of the Government, and the manner in which the affairs of the country were administered.

The MARQUESS of LANSDOWNE could assure the noble Earl that if Her Majesty's Government had thought that the constant sitting of Parliament would have tended to the repressing of disorder, of crime, and of outrage in Ireland, no consideration of habit or of convenience would have been allowed to prevent that course; but they did not believe that Parliament could with any useful effect legislate at this moment upon the subject beyond the step already taken. He, for one, believed—and such had been the opinion of both Houses of Parliament—that a measure very effectual for the repression of that disorder had been taken; not, undoubtedly, assuring their Lordships that no further measures would be necessary, but, anxious not to go beyond the necessity of the case, he felt that enough had been done for the purpose of enabling the Government of that country to try the experiment how far the measure proposed would succeed in restoring peace and tranquillity. He believed that six weeks must elapse before that could be ascertained; but even if within those six weeks circumstances should arise which should betray and manifest the insufficiency of this measure, though he prayed to God it might not be so, it was in the power of the Government by law to convene Parliament in a very short period, notwithstanding any adjournment, and enable them to adopt more efficient steps. But his own belief was, not only that six weeks must elapse before the efficacy of the measure could be ascertained, but also that it was highly expedient that Irish Members should be released from their attendance, for the purpose of their giving their support, not only to the general law, but to that extraordinary law which it had pleased Parliament to adopt. Should it prove insufficient, he had no hesitation in saying that the Government would have recourse to the power which was placed in their hands, of convening Parliament at an earlier period. With respect to the other topics on which their Lordships had just been addressed, it was not his intention then to follow the noble Earl. The noble Earl had stated various reasons why other measures should have been brought forward; but it had not been thought wise to bring forward what could not be effectually disposed of. The noble Earl had alluded to an exception made in behalf of one particular measure; but that was a measure necessary to complete the representation of the people in the other House of Parliament—a representation which remained imperfect until a decision should be come to upon that question.

LORD BROUGHAM said, he had received information from Ireland that meetings had been recently held, at which the speakers, amidst great applause, had expressed their determination to keep their arms, and had advised the people to do so likewise, in order, as they said, to protect themselves, not only against the assassin behind the hedge, but also against the assassin from the Castle. He wished to ask the noble Marquess whether he had received any information upon the subject?

The MARQUESS of LANSDOWNE said, he had received no official account of such meetings; but, of course, measures would be taken in Ireland to see that the law with regard to the possession of arms was not infringed.

House adjourned until Thursday, the 3rd of February.

HOUSE OF COMMONS,

Monday, December 20, 1847.

MINUTES.] NEW WRITS.—For Calne, *v.* the Earl of Shelburne, Commissioner of the Treasury.—For Wells, *v.* William Goodenough Hayter, Esq., Judge Advocate General.

New Members Sworn.—For Stockport, James Kershaw, Esq.—For Liskeard, Charles Buller, Esq.—For Newcastle-under-Lyme, Samuel Christy, Esq.—For Tamworth, John Townsend, Esq.

Public Bills.—1° Jewish Disabilities.
2° New Zealand Government.

PRIVATE BUSINESS.

Mr. LABOUCHERE rose, pursuant to notice, to ask the House to agree to certain resolutions to which the Select Committee recently appointed to consider whether any and what means might be adopted to improve the mode in which the private business of the House was conducted, had unanimously come. It would not be necessary to detain the House at any length, to impress upon the minds of hon. Members the advisableness of agreeing to these resolutions. Although very great improvements had taken place in the conduct of the private business of the House, in respect to its being done at a greatly diminished expense, and with an increased confidence on the part of the public in the impartiality and propriety of the decisions of the House, yet it was conceived that there was still room for improvement, especially in regard to effecting an increased control over a certain portion of the private business. He on a former occasion expressed his belief that, in consequence of the services rendered during the last Session of Parliament by the Gentleman who filled the situation of Chairman of Ways and Means, and who was well known to have devoted himself with zeal to the performance of the duties intrusted to him, as far as regarded the unopposed private business of the House, there was little room for improvement; but that with regard to the opposed business, it might he necessary to take some precaution against accidental errors and omissions. Accordingly, the Select Committee addressed themselves to that part of the subject, and, with the advantage of the best evidence, including that of the right hon. the Speaker himself; of the hon. Member for Lancaster (Mr. Greene), the late Chairman of Ways and Means, and who superintended the private business of the House; of Mr. Palk, counsel to the Earl of Shaftesbury, the Chairman of Committees of the House of Lords; and of Mr. Booth, who filled the office of counsel to the Speaker, and who was able to give most important information; the Committee had been able to arrive at certain resolutions which it was now his duty to ask the House to agree to. It was found that parties who wished to escape from the vigilance exercised by the Chairman of Ways and Means over unopposed Bills often got up sham clauses, which would take the Bills out of that category, and give them the character of opposed Bills, which, instead of going before the Chairman of Ways and Means, went immediately before a Committee of the House, where the parties believed less effectual control was exercised against the introduction of improper matter into a Private Bill. It also appeared very desirable that there should be some more vigilant control exercised with regard to private business coming down from the House of Lords. It was perfectly true that all these matters were watched with great attention by the Chairman of the Committees of the House of Lords; but it was hardly consistent with the dignity of the House of Commons, or with a due discharge of their duty to the public, to rely altogether, or even chiefly, upon the vigilance of an officer of the House of Lords. On the contrary, the Committee thought it was the duty of the House of Commons to take upon themselves the discharge of that duty. It appeared, therefore, to the Committee that the control which the Chairman of Ways and Means had hitherto exercised over unopposed Bills should be extended to opposed Bills; and that he should direct his attention generally, in short, to the whole private business of the House. Having arrived at this opinion, it then became the duty of the Committee to consider in what way this could best be done. It seemed to be the general opinion that the House should give a greater, and at the same time an indefinite, authority to the Chairman of the Committee of Ways and Means to examine Private Bills, opposed or unopposed; that they should be, in the first instance, referred to him, that he might have an opportunity of stating to the House what he might think objectionable in them. They had an example in the control which was exercised by Lord Shaftesbury in the House of Lords, which had been most beneficial. He (Mr. Labouchere) believed that by the adoption of the resolutions of the Select Committee, the House would be giving to the Chairman of Ways and Means the same control and authority as that which Lord Shaftesbury exercised in the House of Lords; and that the Chairman of Ways and Means would practically never come into collision with the Committees of the House; because the agents of Private Bills, knowing that their Bills would have to undergo examination by

the Chairman of Ways and Means, would find out by communication with him whether there were any provisions in their Bills which would meet with his opposition. If this plan were adopted, the agents would very seldom venture to go before a Committee of the House of Commons with a Bill containing provisions which they knew had upon some general principle been objected to by the Chairman of Ways and Means. If they should do so, and the Committee should pass the Bill, the Chairman of the Committee of Ways and Means would, of course, before the report of the Committee on the Bill was made to the House, have an opportunity of pointing out to the House the objections he entertained to the Bill. He believed that the power which the Chairman of Ways and Means would possess, and the absolute necessity of his exercising that power in such a case as that which he had supposed, would very strongly operate upon the agents for Private Bills, especially when the parties knew that the House itself, on being made acquainted with the objections which the Chairman of Ways and Means entertained against the Bill, and found that those objections were entertained upon proper grounds, would be ready to support their own officer. He did not think there was any great probability that the agents would calculate upon the ignorance or carelessness of the Committee, when there was the Chairman of Ways and Means always at hand to introduce order and regularity into the management of the private business of the House. This was the general nature of the proposal he had to make to the House. When he before addressed the House upon this subject, he had great doubts whether it would be possible for the Chairman of Ways and Means to discharge the increased load of business, in addition to the onerous duties which he already had to discharge. He still retained some doubt upon that point; at the same time he thought that nothing short of a very clear case being made out of its being impossible for one person, by using due diligence and applying himself vigilantly, to discharge this mass of business thus thrown upon him—nothing but the clearest proof of this would warrant him in proposing that an additional officer should be appointed to control this part of the private business of the House. He had a great objection, on principle, to increasing the patronage of that House. He thought that sufficient evidence was not adduced to warrant any such proposal at present; at all events, it would be better for the House to make the experiment during the present Session without any additional officer. He hoped the private business of the House would not be so great as to make it impracticable for the Chairman of Ways and Means to take upon himself this additional duty. The right hon. Gentleman concluded by moving that the House do agree to the resolutions contained in the First Report of the Committee on Private Business, presented December 14.

Sir R. H. INGLIS regretted that the Committee of the Government had not resolved to recommend the appointment of a Gentleman to assist in the supervision of the private business. With reference to breviates, he thought it would be a great assistance—he would not say to idle Members (if such there were), but even to the most laborious Members, if they were furnished with public as well as private Bills, as they would greatly facilitate the consideration of the business brought before that House. There was another and far more important point, however, to which he wished to advert, namely, the propriety of having not merely two Chairmen of Committees, but of having two Speakers, or at least an assistant Speaker. It had happened that for the last half-century the Speaker's chair had only been necessarily vacant in four instances; but he believed that this indicated a constancy of attendance far too onerous and dangerous to health. It would be an awkward thing if the Speaker's health should fail at some critical conjuncture of public affairs; for, unless the Speaker were in the chair, the functions of the House were suspended. It had occurred many times in the last twenty years that it was requisite to pass measures of pressing importance through their respective stages in a day or two; and, on some such occasion, considerable inconvenience might be created by the occurrence of such a contingency as he had alluded to.

Resolutions agreed to as follows:—

"*Resolved*—That the Chairman of the Committee of Ways and Means do examine all Private Bills, whether opposed or unopposed, and do call the attention of the House to all points relating thereto which may appear to him to require it.

"*Resolved*—That there be furnished to the Chairman of the Committee of Ways and Means, by the Agents, Copies of all Private Bills, Copies of all Amendments intended to be introduced in Committee, Copies of all Bills as amended in

Committeee;—and likewise Copies of all Amendments made in the House of Lords, and of all Amendments to the Lords' Amendments intended to be proposed in the House of Commons.

"*Resolved*—That the Counsel to Mr. Speaker, with such assistance as may be found requisite, do aid the Chairman of the Committee of Ways and means in the discharge of the above-mentioned duties."

JEWISH DISABILITIES.

Lord J. RUSSELL brought in a Bill for the relief of Her Majesty's subjects professing the Jewish religion. Read a first time. On the question that it be read a second time on Monday, the 7th of February,

Colonel SIBTHORP wanted to know what further alterations in the law the Government intended to propose for the protection of Jews who might be elected to seats in that House. The House sometimes met on Saturdays, and Members of Election Committees which sat on Saturdays were liable to heavy penalties if they did not attend. How did the Government propose to meet this difficulty? He believed the day was not far distant when they would have a Mahometan sitting in the House, and that at the instance and recommendation of the noble Lord.

Lord J. RUSSELL: I understand the hon. and gallant Gentleman to ask me, what is to happen if the House sits on a Saturday, and requires the attendance of any Jewish Member of this House? I believe the usual course is, supposing there is a call of the House, and a Member does not attend, that he is taken into the custody of the Serjeant at Arms, and afterwards discharged on the payment of his fees. I think if it should so happen that there should be a call of the House on a Saturday — [Colonel Sibthorp: Friday night.]—I say I think I can answer for it that Members of the Jewish persuasion would be very well content to pay the penalty.

Motion agreed to.

ADJOURNMENT—IRELAND—COMMERCIAL DISTRESS—NAVIGATION LAWS.

Lord J. RUSSELL moved that the House at its rising do adjourn to Thursday, the 3rd of February next. He believed nothing required at present that there should be an earlier meeting of the House, and as he believed the time named for adjournment was approved of by the House generally, he begged to move accordingly.

Mr. SPOONER said, it was with regret he perceived the noble Lord had thought fit to move so long an adjournment. The noble Lord could not have attended to the statement in a petition he had the honour to present to that House, otherwise the noble Lord would have seen the necessity for naming an earlier time of meeting. He could only attribute the long adjournment to a total ignorance on the part of the noble Lord of the distress prevailing among the manufacturing population, and the fearful state in which some of the vast iron manufacturers in Staffordshire and in Wales were at this moment placed. He could tell the noble Lord that masses of people had been discharged, and were daily being discharged, in the great manufacturing districts, and that in consequence of this want of employment for so many labouring men, and a reduction of wages to the employed, it was impossible to fathom the depth of the distress which existed. What course had the House taken to meet existing and coming difficulties? They had appointed a Committee, which Committee could not be expected to make a report before the lapse of several months. The Committee were to inquire into the cause of the monetary distress; but they were not expected to support any remedies for the evils under which the people at present suffered. The right hon. Gentleman the Member for Stamford (Mr. Herries) had a notice on the books which, had it been allowed to be brought forward, would have placed the whole subject under the consideration of the House. The result, no doubt, would have been that remedial measures would have been recommended. By means of a measure adopted by Her Majesty's Ministers, the commercial distress had been arrested. By the same means the large failures which were then taking place, had been stopped. So far, good had been done; but distress was now falling on a class of society which more particularly called for the attention of that House. The happiness and prosperity of the class he referred to, were, in his opinion, essential to the prosperity of the kingdom. Let it be recollected, that thousands were being thrown out of bread. Government had stopped commercial failures, but had broken down the industry of the country. When they talked of there not being sufficient capital in the country, he would ask what was the poor man's capital? The poor man's capital was his labour. It was ne-

cessary the poor man's only capital should be employed, as that was the only means he had of supplying the wants of his family. When the labourer was employed, all classes were benefited. They might have arrested difficulties in one quarter, but they would find that the pressure on the industrious classes was becoming every day more intense. He would not enter upon the large field of the causes of our embarrassments. He would not force a debate on the House, as many hon. Members were absent whom he should wish to be present when he made his observations. He would, however, just say, that though he granted railway speculation had been carried to an improvident extent, yet he by no means agreed with those who asserted that this speculation had caused the late panic in the commercial world. While he admitted the evil of improvident speculation, he yet declared that had our monetary system been sound, the whole result of this over-speculation would have fallen on individuals, and would not have created that disarrangement of our monetary system which had occurred, and which was attributed to railway speculation. But if over-speculation caused distress, what did they think would be the result of a sudden stoppage of railway undertakings? Did Government really think they had done good by throwing so many thousand railway labourers out of work? It might be said that Parliament could not remedy this state of things. He denied it. He asserted that it was in the power of Parliament to provide a remedy. It was to Parliament that the people must come for a remedy under such circumstances, for the relief of the pressure which prevailed. If the House added insult to injury by refusing to interfere, they would do much to bring their legislative functions into contempt with the people. He would allude shortly to the state of distress which was rapidly spreading throughout the country —more especially from the stoppage of railway works. It was not only the labourer who suffered from being deprived of work—the small tradesman who supplied the wants of the labourer also suffered. The evil did not stop here. Those traders who had calculated their incomes on the previous half year, were obliged to pay the income-tax on that amount, though they actually sustained loss. This, he could tell the Government, would soon be felt in the country. He would also point out another circumstance which had come within his own knowledge. Considerable orders had come from America, and many more were coming. A merchant largely engaged in the American trade had told him that he had suspended the execution of the orders he had received, because the same distress which prevailed in our money market, and which had produced here such disastrous effects, was manifesting itself in the American money market. The Americans were taking the same steps that we were to keep the gold in their hands; and this struggle must inevitably produce a baneful action in our own market. This was another reason why Government ought not to adjourn Parliament until they had done something to set the Bank of England free from the shackles which the Act of 1844 imposed on it. The hon. Gentleman concluded by saying that he desired it should appear on the face of the proceedings of the House that at least one Member disapproved of the lengthened adjournment proposed by the noble Lord. He, therefore, proposed, as an Amendment, to leave out the words "Thursday, the 3rd of February," for the purpose of inserting the "13th of January."

Mr. C. N. NEWDEGATE seconded the Amendment. He must corroborate the statement of his Colleague as to the depression of trade and the distress of the manufacturing districts, and warned the Government that the distress was increasing with fearful rapidity.

Mr. MONSELL, though not prepared to vote for the Motion of the hon. Member, could not allow the question to pass without calling their attention to the condition of the able-bodied destitute poor of Ireland. He thought he should best discharge his duty, not by supporting the Amendment, but by urging upon the Government the absolute necessity of considering the condition of those unfortunate persons before the meeting of Parliament in February—of bringing forward measures at that time to place the relations of capital and labour upon a better footing than at present. Unless they were at once prepared so as to be ready before their next meeting, it would be utterly impossible to pass them in time to alleviate the distress which would certainly take place in the spring and summer. As an Irishman, he never could hesitate to express the gratitude he felt for the large sums which had been voted for the aid of his unfortunate countrymen by the liberality of

the House; but all that money had been spent rather in dealing with the effects than in removing the causes of their misery. Unless measures were speedily adopted to check the onward course of the people towards pauperism, and to change their social condition, the whole of them would sink into misery and ruin. Every day reduced those who before had been in comparative comfort to the class of those who were most wretchedly circumstanced; and the number of those able to pay rates was decreasing gradually, but certainly, week after week; so that it was evident Ireland could not but fall into the depths of misery if some measures were not adopted to check these evils.

Mr. SCROPE expressed his regret that the Government had not passed a short measure providing for the employment of able-bodied poor in productive labour, especially in the cultivation of the land. It would have had a most advantageous operation if some system of parochial productive labour had been found, instead of unproductive and profitless public works, or mere soup distribution, and other eleemosynary relief. There was an enormous amount of waste labour and waste land in Ireland; and it was ridiculous to expend millions in maintaining the poor in idleness in workhouses, when the cultivation of the soil would return remunerating profit for any labour employed upon it. The want of employment in Ireland drove the people, in hundreds of thousands, to this country, taking the bread out of the mouths of our own people, and burdening the poor-rates. There was a desire on the part of the Irish landlords to clear their estates, and get rid of their small tenantry, who of course could only come over here, being offered a few shillings a head for the purpose. This winter an extraordinary immigration was to be expected, and would evidently prove extremely oppressive. There was a positive premium upon the practice of "clearance," and there were some hundreds of thousands of the poorer tenantry in Ireland. He urged upon the Government the necessity of some compulsory measure for the employment of labour in Ireland.

The Earl of LINCOLN rose to ask the Government respecting their proceedings upon a Motion which he had made last Session upon colonisation, as regarded the Irish poor. It was most desirable that the House should be in full possession of all the information the Government could afford respecting colonisation, as it had an especial bearing upon, and reference to, the state of Ireland. To the Motion he made upon the question, the noble Lord (Lord John Russell) and the House assented; but the noble Lord said he would not recommend Her Majesty to appoint a commission, but would, by means of reports from the various Governors of the British colonies, obtain all the information sought for. Assuming that such instructions had been sent out to the colonial Governors, he had now to ask the noble Lord whether any and what information had been received upon this subject, and whether he was in possession of a sufficient number of those reports to place before the House at an early period?

Mr. HINDLEY wished to make a few observations, as his constituents were extremely anxious respecting the state of the commercial affairs of this country; and he had no doubt that when hon. Members returned to their constituents, the first question that they would put to them would be, what Parliament had done to mitigate this distress, and how they had attempted to meet the emergency which had arisen? To such questions all hon. Members could say was, that they had been called together for the purpose of indemnifying the Government; but that as the steps had not been taken by the Government which it must be presumed they intended to take, such indemnity had not been asked or needed. He must say—and he made the remark in no unfriendly spirit—that he thought the Government was to blame for not having acted with more stringency and energy upon the question of railways. Let them call to mind the position in which the House was in 1845. Parliament passed Railway Bills in that year, authorising the raising of 45,000,000*l.* of money; in 1846, they passed Bills authorising the raising of 132,000,000*l.* of money; and last Session for 40,000,000*l.*, making somewhere about 215,000,000*l.* of money to be raised in a few years. Could any man in his senses think this was a wise or proper proceeding? and yet it had been sanctioned by the right hon. Gentleman the Member for Tamworth, and the noble Lord at the head of the Government. Did the noble Lord or the right hon. Baronet think that the people of England could subsist by travelling on railways, which could only be made out of the surplus of the savings of the people, and the capital raised in the manufacturing districts? A great cause of the disasters

among the trading community had been that mercantile men, when they wanted money, found the railway companies competitors with them in the money market, thus raising the rate of interest, and increasing the difficulty of obtaining money. He wished the Government to consider whether or no they could obtain the co-operation of the leading railway companies towards an enactment by which directors of railways would not be allowed to make calls upon the shareholders unless with the consent of two-thirds of the body, and that they should not, for six months, be allowed to raise money at more than five per cent interest? Many people were of opinion that this new Committee for the purpose of inquiry into the causes of the recent commercial distress was appointed for the purpose of relieving the Government from responsibility, and shelving discussion in Parliament upon those matters. He was not inclined to think so harshly; but must, at the same time, observe that the objects of the Committee were much too onerous, and the boundaries of their investigation too wide, and even indistinct, to afford much probability of their coming to any practical conclusion, or of much solid advantage being derived from their labours. He disagreed with most hon. Members who found fault with the Bank Charter Act; for whereas they thought it was blameable for its want of accommodation in seasons of distress, he thought it was chiefly reprehensible for its giving no warning in seasons of prosperity. They were a spirited, enthusiastic, enterprising, and energetic people; and some still small voice to whisper in their ears was most necessary at periods when the nation was buoyed up with the prospect of sudden wealth—

> "Oh, if Fortune fill thy sail
> With more than a propitious gale
> Take half thy canvass in."

He thought the *Times* newspaper demanded the gratitude of the public, for its exertions in repressing railway speculation. He blamed the Bank of England for the undue stimulus it had given by suddenly lowering the interest of money, and again in raising it to an excessive height.

Mr. GLADSTONE wished to make a remark respecting the business of the Session. In answer to a question put to him, the noble Lord at the head of the Government said, he did not expect he should be able to introduce any measure with reference to the Navigation Laws (alluded to in the Speech from the Throne) at an early period after the recess. He (Mr. Gladstone) heard that answer with very great regret. He was not surprised that the noble Lord should find some difficulty in bringing under the notice of the House at an early period all his measures; but he apprehended that if there was any one subject more than another which all classes were desirous of seeing definitively settled, one way or the other, during the present Session, it was the Navigation Laws. The subject was ripe for discussion, and much useful information had been elicited regarding it by the Committee of last Session. It would be highly satisfactory if the noble Lord would, at as early a period as possible after the recess—early enough, at all events, to give full time for discussion and deliberation to both Houses of Parliament before the close of the Session—bring forward this question, so that the commercial and shipping interests might not be kept in a state of suspense injurious to their own interests and to the country generally.

Colonel SIBTHORP said, that Parliament had been called together at an unusually early period—it would seem as if they met merely for the purpose of adjourning—for what had they done? And again he would ask them why should they now adjourn? They had passed a Coercion Bill for Ireland; but the Government did not wish Parliament to sit to see its working, and, if found inoperative or inefficient, murders and crime might go on as usual. Surely there ought to be some reason assigned for their being called together. He believed the fact was, the Government felt themselves in a most uncomfortable position—they felt themselves unequal to their duties, and they wished to shelve upon Parliament that responsibility which ought to attach to themselves. They found themselves in a dilemma, and they called upon the House to extricate them. And what was the cause of their adjournment? Where would the noble Lord at the head of the Government be during the recess? Probably hunting, or shooting, or dancing. There was a Member of the Government absent in another country. What was he doing? Was he on public business or on a pleasure excursion? Was he living on his own fortune, or receiving the public money? How long was he to be absent, and what was he doing, or what did he intend to do? He supposed one of the main reasons for this sudden adjournment was the anxiety of the Government to escape

from those questions which hon. Members might, from time to time, think fit to put to them. But the question the English people would ask was, what had Parliament, what had the Government, done to relieve the distress under which the country now suffered? What had been done to mitigate those sufferings in the commercial world which were so keenly felt? What had been done to alleviate the sufferings of the unemployed operatives? The answer was, a Committee had been appointed. The country would feel very proud to hear that the Government had determined to relieve its sufferings with a blue book, which would be produced when those sufferings had terminated fatally, something after the manner of the physician, who had his medicine compounded just when the patient was dead. If the present Government was as weak, incapable, and irresolute as it seemed to be, they had better quit office than ruin the country. Let them have another body of men who would, at all events, strive to do business, and not call the representatives of ths people together merely for the purpose of extricating them from the position in which their imbecility and imprudence had placed them.

Sir LUCIUS O'BRIEN wished to call the attention of the House to the distressed state of Ireland, and more particularly of the western part of it, with which he was more immediately connected. He would never cease to bear testimony to all that had been done for Ireland by this country during the last year; and he regretted to have heard some of the language that had been used in that House on the subject. But it was right that the House should be made acquainted with the difficulties with which the gentry of Ireland had to contend. They were surrounded by starving multitudes whom it was impossible for them, by any effort, to provide with sustenance; and he greatly feared that in many parts of the country any exertion they could make would be wholly insufficient to keep the people alive; and that the task would thus again fall on that House of saving the people from starvation. He was of opinion that Parliament had taken the proper course in passing the Bill for the suppression of crime and outrage in Ireland, in the first instance; but he hoped that after the recess they would lose no time in considering other measures for the relief of that country. Considering that the crop on which depended the whole support of the people had been altogether destroyed, it was no wonder that the great distress which prevailed last year should have existed. The efforts made by Parliament had no doubt the effect of saving the lives of many of the people; but it should not be forgotten that one consequence of these efforts was, that the people were taken away from the cultivation of the soil, and that there was necessarily a great diminution in the crops for the present year, and a proportionate want of the means of support. He was glad, however, to be able to say that he saw the prospect of a much more extensive cultivation of the soil next year.

Mr. HERRIES hoped that his hon. Friend would not press his Amendment. No hon. Member could hesitate to sacrifice his own personal convenience to the public interest, if it were shown that it really would conduce to the public interest that that House should meet at an earlier period than that proposed; but on this subject he was quite willing to give his confidence to the Government, for they would not have fixed the day they had, unless they believed it would be for the furtherance of the public interest. He hoped that the statements that had fallen from the two hon. Members for North Warwick concerning the lamentable condition of the manufacturing classes in those districts with which they were best acquainted, would not be lost upon the House. The attention of the House had been much called to the distress of the people of Ireland; but little attention—he regretted to say too little—had been bestowed during the present short Session on the embarrassment under which the manufacturers were now labouring, and the depression of the operatives in those districts. It had been stated, upon authority which he supposed was correct, that two-fifths of the working classes in the manufacturing districts were at present out of employment; that of the remainder a portion only were in full employ; and that a large number of factories and mills were working short time, and no inconsiderable number working not at all. If to these things were added the fact that merchants abroad were purchasing cotton at a lower price than our merchants, and carrying away to foreign countries produce which ought to be in the hands of our own operatives, it proved that the most anxious deliberation, not only of the Government, but of Parliament itself, was required; and he trusted that

the subject would be brought under consideration at an early period. Another topic of great interest in the country was the present state of the country and the law of banking. He did not intend to say a word now that could by possibility lead to a discussion; but the subject had been pressed upon his attention from various quarters, and he had had that very day a petition committed to his care, which, owing to an accident, he had not been able to present, signed by 132 highly respectable firms in Liverpool, praying some remedial measure to what they conceived was the obstructive character of the Bank Charter Act. He, therefore, hoped to be able to bring forward the subject on one of the earliest days after the reassembling of Parliament. Hitherto he had yielded, as he felt it his duty to do, to the wish of the House, that the Bill relating to crimes and outrages in Ireland should have precedence of all other subjects; but he now hoped for the assistance of the Government to enable him to bring forward the subjects to which he had alluded as speedily as possible after the meeting of Parliament.

Lord J. RUSSELL: I wish to address myself in the first place to some observations which fell from the hon. Baronet the Member for Clare, relative to the distress which exists in various parts of Ireland, and the exertions which have been made by gentlemen of property to alleviate that distress. I cannot contradict the first part of his statement, as to the distress; but, I am happy to say, with reference to the second part, that all the accounts I have received show me that great exertions are made by gentlemen possessing property to alleviate that distress, and to find employment for the people. The applications under the Land Improvement Act show that there is a disposition on the part of those who possess property in Ireland to give employment, and thereby to prevent a recurrence of the distress of last year. But when the hon. Baronet goes on to express his hope and expectation that relief will be given by Parliament, I must say, in the first place, that I think it will be necessary we should have proofs that every possible exertion has been made in the different unions of Ireland, to carry into effect the law passed in the last Session of Parliament for the better relief of the poor. I do not at all regret the measures of last year; but, at the time they gave relief, they were a serious burden to other parts of the country, under the disastrous circumstances of the high price of provisions and the commercial distress. I do not say that this should be a reason why we should not in any extreme case afford assistance to distress in Ireland; but I beg at the same time to call the attention of the hon. Baronet, and other Members of the House representing Irish towns and counties, to the statements that have been made, and, as I believe, very truly made, by the hon. Members for North Warwickshire, of the dreadful state of distress arising from want of employment which prevails in the manufacturing districts of this country. As no one asks, and no one probably will ask, that persons in constant employ should be sustained by grants from the Consolidated Fund in England, so it cannot be supposed that any relief from the Imperial Treasury should be granted for Ireland until all the means under the law for the relief of the poor have been duly used. With respect to the observations of the right hon. Gentleman who has just sat down, I am glad to find that he does not approve of the Motion for a shorter period of adjournment. I think the better course is an adjournment to February. With reference to the Motion of the right hon. Gentleman upon the subject of the currency, when that Motion shall come on, Her Majesty's Government will be prepared to state their views to the House; and until then I rest in confidence, that although we may happen to differ from the right hon. Gentleman with respect to the operation of the Act of 1844, we shall not differ from him in this respect—that he is as desirous as we ourselves of the convertibility of that portion of our currency which is in paper into gold, and that he will not give the countenance of his high authority to those opinions which are propounded by some Gentlemen from Birmingham—opinions which I believe to be injurious, not only to the prosperity, but to the character and good faith of the empire. The right hon. Gentleman the Member for the University of Oxford has asked a question with regard to the bringing forward of measures by the Government relative to the Navigation Laws. I certainly hesitated to make any promise that that measure should be brought forward immediately after the recess; and I beg him to consider—as a fact within his own knowledge—that the proportion of time allotted to the Government for bringing forward those measures which they think necessary should be adopted by Parlia-

ment only consists of eight days in the month; and it was only this evening that the right hon. Member for Stamford appealed to the Government that one of those days should be given to the discussion of his Motion. Owing to the very short time allotted for the proposal and debate of Government measures, I was unwilling to pledge myself to bring forward this measure early in the Session. Until we have all the returns of the revenue before us, it is impossible to say how early we can succeed in bringing this question before Parliament; and I must, therefore, reserve the period of its introduction to the discretion of the Government. But I am ready to say that the question shall be brought forward at such a time as to give ample opportunity for the consideration of all matters connected with it. We likewise wish, immediately after the recess, to bring forward some of the Irish measures of which we have spoken. An hon. Gentleman said, that after we had passed the measure for the prevention of offences in Ireland, he doubted whether we should proceed with any others. I think the hon. Gentleman may spare himself any anxiety on that subject. My noble Friend the Lord Lieutenant of Ireland has given his best consideration to the state of Ireland; and the result of that consideration will not rest in empty declamations or words, and he is prepared to act with that vigour and energy which belong to his character in carrying the law into effect. Let me add, that I think it of the utmost importance that the Government should not be frustrated in their attempts; and I shall be prepared on the part of the Government in this country to give every support to my noble Friend in his measures for the prevention of those offences which have recently taken place in Ireland. The noble Lord the Member for Falkirk asked a question with respect to emigration. I can only say in reply, that the papers will be laid on the table of the House; and if the noble Lord had spoken a day or two sooner, they could have been laid on the table, I believe, this evening. In some places, especially in Canada, great prejudice has been excited against emigration, in consequence of the unfortunate condition in which certain emigrants from Ireland arrived there, and the mortality that has taken place. We shall, however, lay on the table all the information on the subject which we possess. In conclusion I can only say, that seeing the sense of the House upon the subject, I hope the hon. Gentleman will not press his Motion for an earlier adjournment.

Colonel DUNNE said, there was a subject of some importance to Ireland which he wished to bring under the notice of the Government and of the country. When the Parliament passed the Poor Law Bill last year, it was decided that the rating should take place generally in electoral divisions, and not in unions, except in cases where the boards of guardians were unanimous on the subject. It was so very seldom that the boards were unanimous, that he believed there was only one case where a union rating had been made with consent of the board. But it happened in some cases that the boards of guardians had been dismissed, and paid guardians appointed. These paid guardians, being only two in number, had no difficulty in coming to a unanimous decision, and rating the union. This, however, he considered an evasion of the law, and he therefore brought the matter under the consideration of the House.

Sir B. HALL rose to ask a question of his right hon. Friend the Home Secretary. His noble Friend had stated that no further sum would be granted for the relief of Irish distress until they saw the poor-law carried into full effect in that country. Now, a report had been laid upon the table of the House, showing the contributions made in England and Ireland respectively for the relief of the poor, from which it appeared that the average amount over England last year was 1*s.* 7$\frac{3}{4}$*d.* in the pound, and that in Ireland it was 8$\frac{1}{4}$*d.* in the pound; and this amount was rendered in Ireland up to the 1st of January, 1847. He hoped, as the subject of Ireland did form a prominent part of their deliberations, when they met again that his right hon. Friend the Home Secretary would have a similar return made up to the 1st of January, 1848. Some hon. Gentlemen had spoken of the distress existing in Ireland, and he could assure those hon. Gentlemen that the English Members were willing and anxious to grant what they could; but, at the same time, they must look to the position of their own constituents. With regard to the metropolis, there was one of the parishes which he represented—probably the richest parish or district in the world—he meant the parish of Marylebone, where, if hon. Gentlemen drove though it, they would see nothing but wealth; yet in that parish, out of a population of 140,000, 1 out of every

17 in the population were in the receipt of parochial aid; and there was another parish where 27,000 persons were receiving parochial aid, while of these, exactly ten per cent, or 2,700, were Irish. He therefore trusted that the representatives of Ireland would see that English Members had duties to perform towards those whom they represented; and they might rest assured that they would be ready to grant the Irish all reasonable and proper assistance after they had discharged the duties proper to their own constituents.

Mr. GRATTAN said, that the comparison between the burden of the poor-rate in England and Ireland was scarcely fair, considering that so much money was carried out of Ireland by the absentee landlords in this country. If they sent back the money taken away by the rich proprietors, the Irish would be as able to pay poor-rates as the English were; but after taking away the rich proprietor, and exhausting the poor proprietor who remained, it was rather unfair to taunt Ireland with paying only 8*d.* in the pound, while England paid 1*s.* 7*d.* If they did not take care of the operation of the out-door relief clause in the Poor Law Bill, the Irish resident proprietors would be brought to poverty and distress, and the result would be that they would come over to England as the French refugees did after the Revolution, and they should have to give them a shilling a day to maintain them. The passing of the Encumbered Estates and the Landlord and Tenant Bills would go far of themselves to pacify Ireland. He advised the Government, however, to put entirely out of their minds any speeches by the hon. Member for Marylebone.

Sir G. GREY, in reference to the remark of the hon. Member for Marylebone, begged to say that a paper had been printed, and would be in the hands of Members in two or three days, showing what had been the amount of rates collected in Ireland in every month of the present year up to the latest period. With reference to the question put by the hon. and gallant Member for Portarlington, he had to say that he was not aware of any such case as that which had been referred to. He was quite sure that no general system of union rating had been adopted, and that if any paid board of guardians had thought it their duty to adopt that course, they must have done so with the sanction of the Poor Law Commissoners upon a full consideration of the circumstances of the case.

Mr. DEERING, with reference to the remarks which had been made respecting the different ratings for the poor in England and Ireland, begged to say that in the twenty-seven parishes which constituted the borough he represented (Aylesbury), the average poor-rate was 6*s.* in the pound. He was quite certain it was as high as 6*s.* 6*d.* in his own parish. When Irish Gentlemen were rated to that extent, it would be time enough for them to come over and ask his constituents to contribute to their relief.

Mr. SPOONER said, that as he had gathered that it was not the wish of the House that he should press his Amendment, he should ask leave to withdraw it.

Amendment withdrawn, and the Motion for the Adjournment of the House till the 3rd of February was agreed to.

TRANSPORTATION OF AN INNOCENT MAN.

Mr. EWART begged to ask a question of the right hon. Baronet the Secretary of State for the Home Department. It appeared that a person named Thomas Drewery had been tried at the Wakefield sessions in December, 1845, on a charge of horse-stealing. Unfortunately he was too poor to defend himself; and having attempted to prove an *alibi*, he failed, and was sentenced to seven years' transportation. Application was subsequently made to the Home Office in his behalf, and an *alibi* offered to be proved on the strongest testimony; but it was stated that to acquit a prisoner in this way was altogether without precedent, and the consequence was that the sentence remained unrevoked, and after being confined two years in Pentonville prison he was sent out in May last to Van Diemen's Land. Since his departure a criminal named John Webster had confessed that it was he who had stolen the horse for which Thomas Drewery had been transported, and that to obtain possession of the horse he had used the name of Thomas Drewery. There was now no doubt of the truth of this statement, the whole circumstance having been fully investigated. The man Drewery was, however, still a prisoner in Van Diemen's Land, though a totally innocent man. The question he had to ask the right hon. Baronet was, whether he had received any information of the case at the Home Office, and if so, what measures he intended to take in consequence of that information?

Sir G. GREY replied, that the case re-

ferred to had been brought under his attention by the hon. and learned Member for Hull (Mr. Baines). It was quite correct that Drewery had been tried at the Wakefield sessions in December, 1845, charged with the crime of horse-stealing, and that evidence was now offered to show that he was not guilty. At the same time he cautioned the hon. Member (Mr. Ewart) against prejudging the question, and assuming all at once that the statement of the convict Webster was true. Statements of this kind were not at all of unfrequent occurrence. At the same time he admitted that there were circumstances which gave an appearance of probability that the statement was true; and, at all events, quite sufficient to call, not for an immediate pardon, but for such an inquiry as would establish the truth. The facts of the case, however, had not been quite correctly stated. The man was charged with horse-stealing, and two witnesses most distinctly swore to his identity, and to his connexion with the offence. The evidence, it appeared, was given in a manner that quite satisfied the jury of his guilt, and he was accordingly found guilty. Subsequently a statement was communicated to the Home Office on the declaration of three persons, who offered to prove an *alibi* in favour of the prisoner. It turned out, however, that one of these persons had been in court at the time of the trial; and in such circumstances, though there was no positive rule that no evidence could be received at the Home Office after a verdict, the evidence produced must be received with great caution. He might state that the verdict of the jury was entirely approved of by Mr. Williams, chairman of the sessions. However, as he had already stated, the whole subject was receiving the fullest consideration, and proper inquiries were making as to what credence ought to be given to the statements of the parties who had come forward. He might state, in conclusion, that Drewery went out to the colony on a free pardon, on condition that he should remain there, and not return to this country.

THE RIVER PLATE.

Mr. EWART wished to put a question to the noble Lord the Secretary for Foreign Affairs, which had relation to a point of considerable importance to the commerce of this country. They had been informed by the noble Lord a few nights ago, that an arrangement had been made for the purpose of bringing to a conclusion those hostilities which had so long prevailed in the River Plate, and which had been so prejudicial to British commerce. The question he had to put was, whether in that arrangement measures had been adopted to preserve open the general commerce and the navigation, not only of the River Plate, but of its tributaries, the Uruguay and Parana, whose waters gave facility to commerce with Montevideo, Paraguay, Bolivia, and the south of Brazil? He was anxious to have an answer to the question, whether any measures had been taken by Her Majesty's Government with a view to this result, as the interior part of this vast territory was of the greatest importance to British commerce?

Viscount PALMERSTON said, his hon. Friend was aware that what was strictly called the River Plate was an estuary of the sea, and therefore there could be no question as to its being open to the commerce of all nations. With regard to the internal rivers discharging themselves into the Plate, such as the Uruguay and the Parana, they were subject to the general law of nations, which his hon. Friend must be aware assigned the dominion over a river to the country through whose territory that river flowed. Consequently, if these rivers flowed through the State of Montevideo, or of Buenos Ayres, they would be subject to one or other of them; and if they divided those two States, then each State was entitled to the command of a particular portion of those rivers. The arrangement which had been proposed to the contending parties, therefore, had no bearing upon any point relating to the dominion or the sovereignty of the internal waters.

Mr. EWART said, his question pointed to this—whether, in the arrangements regarding the lower part of the River Plate, the free navigation of the upper waters, including the Uruguay and Parana, had been provided for?

Lord PALMERSTON: The navigation of those rivers that were internal would remain subject to the usual law of nations, which made such waters subject to the dominion of the States through whose territories they flowed.

RATING OF STOCK-IN-TRADE.

Sir R. INGLIS wished to know whether it was the intention of the Secretary of State for the Home Department to call the attention of the House to the Stock-in-

Trade Act, with a view to a consideration of the whole question?

SIR G. GREY had stated at the close of last Session that considerable difficulties beset the whole question with regard to the rating of stock-in-trade. He could not say that those difficulties were diminished, and though the question was an important one, he could not, in the meantime, hold out any hope that a measure would be introduced on the subject.

SHIPPING—OFFICIAL RETURNS.

LORD G. BENTINCK would seize the present opportunity to call the attention of the House to a return for which he had moved on the 23rd of November. It was a return of the number and tonnage of British steam-vessels which had entered the ports of this country from Holland, Belgium, and France, during 1846; and also the number of men by whom the same were manned. With respect to every one of these matters, the officers whose duty it was to make up the returns had disobeyed the orders of the House. He was aware that this arose from no fault of the Government, as it was impossible that Ministers could attend to the drudgery of such details as a strict examination of such returns would render necessary; but certainly it was the business of officers who drew up returns to see that they were accurate. The fact, however, was, that this return was one calculated altogether to deceive the House, whether it regarded the number of ships, the tonnage, or the number of men by whom they were manned. The return showed ninety steam-vessels, manned by 1,369 men, and a tonnage of 14,811 tons. By accident his attention was directed to the fact that there were several vessels in the return having the same name; that not less then fifteen vessels were in this position — eight of them Government steamers, and seven of them merchant steamers—all of them being entered twice over; the tonnage of each was nearly the same, and they were all manned by nearly the same number of crews. It was, therefore, scarcely possible to doubt that the entry of these ships had been given twice over. There were three others of which he had very great suspicion — these were the *Wilberforce*, the *Ocean*, and the *Sir William Wallace*. The *Sir William Wallace* was given three times. Of the other two, the crews not being exactly alike in both cases, there was some doubt whether they were the same vessels repeated, or different ressels of the same name. The result of this inaccuracy was, that the return showed a steam force of ninety, instead of only seventy-two ships; a force of men amounting to 1,369, instead of 1,123; and a tonnage of 14,811, instead of 12,459. It was impossible for that House to legislate on the authority of such returns as these. His object in moving for these returns was to obtain a correction of another return which had been presented, and in which the amount of protected and unprotected trade was given in a paper compiled by Mr. Porter. That paper stated the amount of the trade to France in 1824 to be 82,650 tons; while last year it was represented to have increased to 526,821 tons. He doubted this return, as he could not believe that the miserable steam-boats which cross the Channel could have been introduced with their repeated voyages to make up this enormous amount of tonnage. The two returns, however, corrected each other; and the last one showed that the seventy-two vessels, with the number of men and the amount of tonnage he had stated, figured in the Board of Trade returns as representing 388,313 tons. He called for the return in order that the country might not be deceived, in treating of the navigation laws, by unexplained official returns showing a great array of figures. Four of these steamers alone, which measured in the average 111 tons, and were manned only by 52 men, by dint of making within the year 548 trips across the Channel, figured in the returns as representing 61,441 tons engaged in our foreign trade. In point of fact, in Mr. Porter's returns these four miserable little steam-boats, averaging 111 tons each, figured as of superior importance to sixty great East Indiamen of 1,000 tons apiece, and manned by 3,000 seamen. He thought it was only right to call the attention of the House to this subject, as a warning with regard to other returns; and though he made no complaint against the Government, he certainly thought the House was entitled to expect accuracy in the officers employed to discharge the duties entrusted to them.

MR. PARKER said, it was, no doubt, of the greatest importance that correct returns should be made to the House. With respect to the report now before them, he thought there was no doubt that there had been, by mistake, inserted a duplication of vessels. Perhaps this might be accounted

for by a vessel at one period leaving one port, and at another time another port; as, for example, a vessel sailing from London, and then at a future period sailing from Dover. He believed, however, that generally speaking, in all other respects the return was accurate. The rest of the hon. Gentleman's explanation was inaudible.

CHELTENHAM ELECTION.

Mr. WALPOLE moved the appointment of the following Gentlemen as the Committee for considering the petition of Sir Willoughby Jones, Bart., M.P. :—Mr. Walpole, Mr. Attorney General, Sir Frederick Thesiger, Sir George Grey, Sir Robert Peel, Mr. Serjeant Talfourd, Mr. George Turner, Mr. Bernal, Mr. Greene, Mr. Wrightson, and Sir William Heathcote.

Lord J. RUSSELL said, that he had no wish to oppose the Motion to any extent; but as the names included four Gentlemen learned in the law, who had expressed a strong opinion on the question to be submitted to consideration, he thought that the names of the Solicitor General and the hon. Member for Devonport, who had opposed the appointment of the Committee, should be added. He thought that this arrangement was only fair, and if it was not agreed to, he would not consider himself bound to abide by the report.

Committee, as originally proposed, was appointed.

House adjourned at half-past Eight o'clock till Thursday, the 3rd of February.

INDEX

TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME XCV.

BEING THE FIRST VOLUME OF SESSION 1847 (*b*).

EXPLANATION OF THE ABBREVIATIONS.

1*R.* 2*R.* 3*R.* First, Second, or Third Reading—*Amend.*, Amendment.—*Res.*, Resolution.—*Comm.*, Select Committee.—*Com.* Committed.—*Re-Com.*, Re-committed.—*Rep.*, Reported.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*l.*, Lords.—*c.*, Commons.—*m. q.*, Main Question.—*o. q.*, Original Question.—*o. m.*, Original Motion.—*p. q.*, Previous Question.—*r. p.*, Report Progress—*A.*, Ayes.—*N.*, Noes—*M.*, Majority.—1*st Div.*, 2*nd Div.*, First or Second Division.

☞ *The * indicates that no Debate took place upon that stage of the Bill.*

ACLAND, Sir T. D., *Devonshire, N.*
Jews, Disabilities of the, Comm. moved for, 1330

ACTON, Colonel W., *Wicklow*
Crime and Outrage (Ireland), Com., 960

ADAIR, Mr. R. A. S., *Cambridge*
Address in Answer to the Speech, 70, 91

Address in Answer to the Speech,
l. 14; Her Majesty's Answer, 207
c. 64; Amend. (Mr. H. Grattan), 76; Amend. withdrawn, 143; Report, 151; Her Majesty's Answer, 227

Adjournment,
c. 1421; Amend. (Mr. Spooner), 1422; Amend. withdrawn, 1436

AGLIONBY, Mr. H., *Cockermouth*
Copyhold Tenures, 924
Ecclesiastical Commissioners, Res. 1114
New Zealand Government, Leave, 1024
Parliament, New Houses of, Comm. moved for, 1402
Private Bills, 924
Railways, Com. *cl.* 7, 600; Rep. *add. cl.* 1002

ANSTEY, Mr. T. C., *Youghall*
Business of the House, 859
Colonies, Under Secretary of State for the, 149; Assistant Under Secretary, 228
Commercial Distress—The Currency, Comm. moved for, 1169
Crime and Outrage (Ireland), Com. 941
Roman Catholic Charities, Leave, 211
Roman Catholic Relief, Leave, 211; 2R. 800
Sattara, Rajah of, 263

Army, Medals for the,
l. Question (Duke of Richmond), 1051; (Lord Colville), 1336

ARUNDEL AND SURREY, Earl of, *Arundel*
Jews, Disabilities of the, Comm. moved for, 1362
New Zealand Government, Leave, 1030
Roman Catholic Charities, Leave, 214
Roman Catholic Relief, Leave, 214; 2R. 824, 836

ASHBURTON, Lord
Address in Answer to the Speech, 49
Bank of England, 209, 218, 219
Commercial Distress, Comm. moved for, 511, 517

ASHLEY, Viscount, *Bath*
Jews, Disabilities of the, Comm. moved for, 1272, 1393

ATTORNEY GENERAL, The (Sir J. Jervis), *Chester*
Buron *v.* Denman, Case of, 1066
Denunciations from the Altar (Ireland), 701
Exeter's, Bishop of, Letter, 1356
Privilege — West Gloucestershire Election, Comm. moved for, 1071
Railways, Com. *cl.* 7, 601
Venue, Changing the (Ireland), 751

AUCKLAND, Earl of
Hypothecation of Goods (India), Papers moved for, 367
Medals, Naval and Military, 1336

BAILEY, Mr. J., *Herefordshire*
Brazil—Commercial Treaty with, 1232

BAINES, Mr. M. T., *Hull*
Cheltenham Election Petition, Comm. moved for, 1349
Crime and Outrage (Ireland), Com. *add. cl.*, 961
Health of Towns, 265

Bank Charter Act,
l. Question (Lord Redesdale), 63; (Lord Stanley), 207; (Lord Brougham), 220
c. (Lord G. Bentinck), 150; (Mr. Ewart), 228; (Mr. Pattison), 966

Bank of England,
l. Question (Lord Ashburton), 209; Reply, (Earl Grey), 218
c. Returns moved for (Mr. Hindley), 210

BANKES, Mr. G., *Dorsetshire*
Address in Answer to the Speech, Report, 194
Business of the House, 249
Jews, Disabilities of the, Comm. moved for, 1304
Parliament, New Houses of, Comm. moved for, 1333
Poor Law Administration Act Amendment, Leave, 519, 525
Poor Law Commission, The, 148
Private Business, Comm. moved for, 225
Woollens, Spanish, Import Duties on, 1354

Banking (Scotland and Ireland),
c. Question (Col. Mure), 268; Observations (Mr. J. A. Smith), 860

BARING, Right Hon. F. T., *Portsmouth*
Bank of England, Returns moved for, 210
Commercial Distress—The Currency, Comm. moved for, 609

BARING, Mr. T., *Huntingdon*
Commercial Distress—The Currency, Comm. moved for, 436, 1038
Rio de la Plata—Blockade of, 967

Battersea Park,
c. Question (Sir R. H. Inglis), 697

BEAUMONT, Lord
Crime and Outrage (Ireland), Com. 1208
Denunciations from the Altar (Ireland), 694
Roman Catholic Bulls, 674
Rome, Diplomatic Relations with, 1062
Switzerland, Affairs of, 1062

BENTINCK, Lord W. G. F. C., *King's Lynn*
Address in Answer to the Speech, Report, 159
Bank Charter Act, 150
Commercial Distress—The Currency, Comm. moved for, 970; Nomination of Members, Amend. 1035, 1040, 1141; Amend. 1160, 1163, 1169, 1171, 1174, 1176
Debates, Adjournment of, 1181
Jews, Disabilities of the, Comm. moved for, 1381
Railways, Leave, 236; Rep. 999
Shipping—Official Returns, 1439
Speaker, Choice of a, 5

BERKELEY, Hon. Capt. M. F. F., *Gloucester*
Privilege — West Gloucestershire Election, Comm. moved for, 1067, 1074

BERKELEY, Hon. G. C. G. F., *Gloucestershire, W.*
Privilege — West Gloucestershire Election, Comm. moved for, 1074

BERNARD, Viscount, *Bandon Bridge*
Crime and Outrage (Ireland), Leave, 342

BLACKALL, Major S. W., *Longford*
Loan, Irish, Expenditure of, Returns moved for, 477, 478
Parliament of Ireland, Comm. moved for, 786, 797
Public Works (Ireland), 2R. 1126

BLEWITT, Mr. R. J., *Monmouthshire*
Commercial Distress—The Currency, Comm. moved for, 413, 589

BOWRING, Dr. J., *Bolton*
Commercial Distress—The Currency, Comm. moved for, 1168
Crime and Outrage (Ireland), Leave, 280
Debates, Adjournment of, 1179
Ecclesiastical Commissioners, Res. Amend. 1121
Health of Towns, 266
Man, Isle of, 269
Parliament, New Houses of, Comm. moved for, 1402
Parliament of Ireland, Comm. moved for, 784
Private Business, Comm. moved for, 226

Brazil, Trade with,
c. Question (Mr. J. Wilson), 751;—*Commercial Treaty with,* Question (Mr. Thornely), 1232

Bribery and Corruption,
c. Question (Sir J. Pakington), 211

BRIGHT, Mr. J., *Manchester*
Crime and Outrage (Ireland), 3R. 982
Railways (India), 927

BROTHERTON, Mr. J., *Salford*
Business of the House, 251
Crime and Outrage (Ireland), Leave, 361
Debates, Adjournment of, 1178, 1181
Ecclesiastical Commissioners, Res. 1120
Public Business, 210

BROUGHAM, Lord
Address in Answer to the Speech, 53
Bank Charter Act, 220
Brown, H. A., Case of, 1045, 1050
Commercial Distress—The Currency, Comm. moved for, 508
Crime and Outrage (Ireland), Com. 1224
Denunciations from the Altar (Ireland), 694, 696
Public Business, State of, 1416
Real Property Commission, Papers moved for, 1407
Roman Catholic Absolution, 1405
Slave Trade, The, 207

Brown, H. A., Case of
l. Petition (Lord Brougham), 1045

BROWNE, Mr. R. D., *Mayo*
Crime and Outrage (Ireland), 2R., 738, 741

Buron v. *Denman, Case of,*
c. Question (Mr. Urquhart), 1066

Business of the House,
c. Motion (Sir J. Pakington) 248; Observations (Sir G. Grey), 859

Business, Private,
c. Comm. moved for (Rt. hon. H. Labouchere), 221, 1417

Business, Public,
l. Question (Lord Redesdale), 208; Observations (Earl of Ellenborough), 1412
c. Observation (Mr. Brotherton), 210

BUXTON, Sir E. N., *Essex, S.*
New Zealand Government, Leave, 1025

CALLAGHAN, Mr. D., *Cork City*
Commercial Distress—The Currency, Comm. moved for, 1175
Crime and Outrage (Ireland), Leave, 355; 2R. 887

CAMPBELL, Lord
Denunciations from the Altar (Ireland), 693, 696
Ministers' Money (Ireland), 855

CARDWELL, Mr. E., *Liverpool*
Commercial Distress—The Currency, Comm. moved for, 1155
New Zealand Government, Leave, 1021
Roman Catholic Relief, 2R. 849

Cashel, Roman Catholic Clergy of, and Captain Morris,
c. Correspondence moved for (Mr. Maher), 214

CAYLEY, Mr. E. S., *Yorkshire, N. R.*
Commercial Distress—The Currency, Comm. moved for, 466, 1043, 1171

CHANCELLOR, The LORD (The Right Hon. Lord Cottenham)
Parliament, Opening of the, 2

CHANCELLOR OF THE EXCHEQUER (Right Hon. Sir C. Wood), *Halifax*
Address in Answer to the Speech, 147
Bank Charter Act, 150, 228, 967
Bank of England, Returns moved for, 210
Banking (Scotland and Ireland), 268, 860
Chancery, Estates in (Ireland), Return moved for, 525
Cheltenham Election Petition, Comm. moved for, 1351
Commercial Distress—The Currency, Comm. moved for, 374, 414, 425, 560, 565, 567, 970, 1030, 1032, 1037, 1040, 1042, 1044, 1045, 1126, 1165, 1168
Corn and Navigation Laws, 967
Excise, Laws, 217;—Malt, 227;—Hops, 269
Loan, Irish, Expenditure of, Return moved for, 478
Public Works (Ireland), 2R. 1126
Railway Bills, Comm. moved for, 248
Railways, Leave, 228; Com. *cl.* 7, 599, 600, 603; Rep. 991; *add. cl.* 1002
Relief Money (Ireland), 266
Spirits, British and Foreign, 697
Taxation, 928

Chancery Estates (Ireland),
c. Return moved for (Mr. B. Osborne), 525; Motion withdrawn, 527

Cheltenham Election Petition,
c. Comm. moved for (Mr. Walpole), 1345, [A. 134, N. 125, M. 9] 1352; Nomination of Comm. 1441

Church Rates,
c. Question (Col. Salwey), 1233

CLANRICARDE, Marquess of
Brown, H. A., Case of, 1049

CLAY, Sir W., *Tower Hamlets*
Commercial Distress—The Currency, Comm. moved for, 584

CLERK, Right Hon. Sir G., *Dover*
Railways, Com. *cl.* 7, 602

CLIVE, Viscount, *Shropshire, N.*
New Zealand Government, Leave, 1029

COCHRANE, Mr. A. D. R. W. B., *Bridport*
Crime and Outrage (Ireland), 2R 876; Com. 958, 959
Entailed Estates (Scotland), 211
Greece—Loans, 925, 926
Ryan, Right Rev. Dr., 931

Colonies, Copyright in the,
c. Question (Viscount Mahon), 751

Colonies, Under Secretary of State for the,
c. Question (Mr. C. Anstey), 149;—*Assistant Under Secretary,* Question (Mr. C. Anstey), 228

COLVILLE, Lord
Medals, Naval and Military, 1336

Commercial Distress—The Currency,
l. Question (Lord Stanley), 207; Comm. moved for, (Marquess of Lansdowne), 481

Commercial Distress—continued.
c. Comm. moved for (Chancellor of the Exchequer), 374; Amend. (Mr. J. Wilson), 414; Adj. Debate, 531, 604; Amend. Adj. (Mr. J. Stuart), [A. 45, N. 257, M. 212] 672; Amend. withdrawn, 674; Question (Lord G. Bentinck), 970; Nomination of Members, 1030; Amend. (Mr. Hume), 1031, [A. 57, N. 146, M. 89] 1034; Amend. (Lord G. Bentinck), 1035, [*o. m.* A. 136, N. 45, M. 91] 1038; Amend. Adj. (Mr. Forbes), 1040; Amend. withdrawn, 1045; Original Motion agreed to, *ib.*, 1126; Amend. (Lord G. Bentinck), 1160, [*o. m.* A. 194, N. 77, M. 117] 1161; 2nd Amend. [*o. m.* A. 167, N. 101, M. 66] 1163; Amend. (Mr. Wakley), [*o. m.* A. 188, N. 97, M. 91] 1165; Amend. Adj. (Mr. Wakley), 1167; Amend. withdrawn, 1171; Amend. (Lord G. Bentinck), [*o. m.* A. 172, N. 105, M. 67] *ib.*; Amend. (Mr. B. Osborne), 1174; Amend. withdrawn, 1176; Amend. (Lord G. Bentinck), [*o. m.* A. 152, N. 122, M. 30] *ib.*; Observations (Mr. Hindley), 1426

Commercial Treaty—Brazil,
c. Question (Mr. Thornely), 1232

Copyhold Tenures,
c. Question (Mr. Aglionby), 924

Copyright in the Colonies,
c. Question (Viscount Mahon), 751

Corn Laws, Suspension of the,
c. Question (Mr. Sandars), 967

Cottenham, Lord, *see* Chancellor, The Lord

County Courts,
c. Question (Mr. Walpole), 374

Crawford, Mr. W. S., *Rochdale*
Address in Answer to the Speech, 125
Crime and Outrage (Ireland), Leave, 363; 2R. 911

Crime and Outrage (Ireland) Bill,
c. Leave, 270; Amend. (Mr. Wakley), 360; Amend. Adj. (Mr. Reynolds), 362; Amend. withdrawn, *ib.*, [*o. q.* A. 233, N. 20, M. 213] 363; [*o. m.* A. 224, N. 18, M. 206] 366; 1R.* *ib.*; 2R. Amend. (Mr. J. O'Connell), 701; Amend. Adj. (Mr. Fagan), [A. 18, N. 289, M. 271] 748; Order of the Day read, 750; 2R. 860, [A. 296, N. 19, M. 277] 921; Com. 936; *cl.* 1, Amend. (Mr. J. O'Connell), 960, [A. 4, N. 203, M. 199] 961; *add. cl.* (Mr. Baines), *ib.*; Rep. 962; 3R. 974, [A. 173, N. 14, M. 159] 990; Bill passed, 991
l. 1R.* 963; 2R. 1123; Com. 1182; Rep.* 1230; 3R. 1341; Bill passed, 1342; Royal Assent, 1404

Crime in Ireland,
l. Petitions (Lord Farnham), 856

Criminal Appeal, Court of,
c. Question (Mr. Ewart), 527

Currency, The—Commercial Distress,
l. Question (Lord Stanley), 207; Comm. moved for (Marquess of Lansdowne), 481

Currency, The—continued.
c. Comm. moved for (Chancellor of the Exchequer), 374; Amend. (Mr. J. Wilson), 414; Adj. Debate, 531, 604; Amend. Adj. (Mr. J. Stuart), [A. 45, N. 257, M. 212] 672; Amend. withdrawn, 674; Question (Lord G. Bentinck), 970; Nomination of Members, 1030; Amend. (Mr. Hume), 1031, [A. 57, N. 146, M. 89] 1034; Amend. (Lord G. Bentinck), 1035, [*o. m.* A. 136, N. 45, M. 91] 1038; Amend. Adj. (Mr. Forbes), 1040; Amend. withdrawn, 1045; Original Motion agreed to, *ib.*, 1126; Amend. (Lord G. Bentinck), 1160, [*o. m.* A. 194, N. 77, M. 117] 1161; 2nd. Amend. [*o. m.* A. 167, N. 101, M. 66] 1163; Amend. (Mr. Wakley), [*o. m.* A. 188, N. 97, M. 91] 1165; Amend. Adj. (Mr. Wakley), 1167; Amend. withdrawn, 1171; Amend. (Lord G. Bentinck), [*o. m.* A. 172, N. 105, M. 67] *ib.*; Amend. (Mr. B. Osborne), 1174; Amend. withdrawn, 1176; Amend. (Lord G. Bentinck), [*o. m.* A. 152, N. 122, M. 30] *ib.*; Observations (Mr. Hindley), 1426

Debates, Adjournment of, at 12 o'Clock,
c. Motion (Mr. Brotherton), 1178, [A. 33, N. 57, M. 24] 1181

Deering, Mr. J. P., *Aylesbury*
Adjournment—Ireland, 1436
Ecclesiastical Commissioners, Res. 1105
Pauper Lunatic Asylum, 530

Defences, National,
c. Observations (Lord J. Russell), 966; Question (Viscount Ingestre), 1231

Denunciations from the Altar (Ireland),
l. Question (Lord Farnham), 675
c. Question (Hon. Capt. Harris), 700; (Sir B. Hall), 1233

Devon, Earl of
Public Works (Ireland), 2R. 1230; Rep. 1342, 1343

Devonport, Spiritual Destitution in,
l. Observations (Bishop of Exeter), 963

Disraeli, Mr. B., *Buckinghamshire*
Commercial Distress—The Currency, Comm. moved for, 636, 1043
Crime and Outrage (Ireland), Leave, 356
Jews, Disabilities of the, Comm. moved for, 1281, 1305, 1321
Parliament of Ireland, Comm. moved for, 792
Poor Law Administration Act Amendment, Leave, 523

Divett, Mr. E., *Exeter*
Railways, Leave, 238

Divisions, List of
Cheltenham Election Petition, Comm. moved for (Mr. Walpole), [A. 134, N. 125, M. 9] 1352
Commercial Distress—The Currency, Comm. moved for (Chancellor of the Exchequer), Amend. Adj. (Mr. J. Stuart), [A. 45, N. 257, M. 212] 672; Nomination of Members, Amend. (Mr. Hume), [A. 57, N. 146, M. 89]

Divisions, List of—*continued.*
1034; Amend. (Lord G. Bentinck), [*o. m.* A. 136, N. 45, M. 91] 1038; Amend. (Lord G. Bentinck), [*o. m.* A. 194, N. 77, M. 117] 1161; 2nd Amend. [*o. m.* A. 167, N. 101, M. 66] 1163; Amend. (Mr. Wakley), [*o. m.* A. 188, N. 97, M. 91] 1165; Amend. (Lord G. Bentinck), [*o. m.* A. 172, N. 105, M. 67] 1171; 2nd Amend. [*o. m.* A. 152, N. 122, M. 30] 1176
Crime and Outrage Bill (Ireland), Leave, Amend. (Mr. Wakley), [*o. q.* A. 233, N. 20, M. 213] 364; 2R. [A. 296, N. 19, M. 277] 921; Com. *cl.* 1, Amend. (Mr. J. O'Connell), [A. 4, N. 203, M. 199] 961; 3R. [A. 173, N. 14, M. 159] 990
Debates, Adjournment of, at 12 o'Clock, Motion (Mr. Brotherton), [A. 33, N. 57, M. 24] 1181
Ecclesiastical Commissioners, Res. Amend. (Dr. Bowring), [A. 65. N. 130, M. 65] 1121
Jews, Disabilities of the, Comm. moved for, (Lord J. Russell), [A. 253, N. 186, M. 67] 1397
Parliament of Ireland, Comm. moved for (Mr. F. O'Connor), [A. 23, N. 255, M. 232] 797
Roman Catholic Relief Bill, 2R. [A. 168, N. 135, M. 33] 852

Drumlanrig, Viscount, *Dumfries-shire*
Jews, Disabilities of the, Comm. moved for, 1376

Drummond. Mr. H., *Surrey, W.*
Address in Answer to the Speech, 91
Commercial Distress—The Currency, Comm. moved for, 571, 1134
Excise Regulations—Malt, 227
Jews, Disabilities of the, Comm. moved for, 1378
Privilege — West Gloucestershire Election, Comm. moved for, 1078
Roman Catholic Relief, 2R. 819

Duncan, Viscount, *Bath*
Parliament, New Houses of, 858

Dundas, Sir D., *see* Solicitor General, The

Dunne, Lieut.-Col. F. P., *Portarlington*
Adjournment—Ireland, 1434
Poor Law Unions (Ireland), 1065

Ecclesiastical Commissioners,
c. Res. (Mr. Horsman), 1083; Amend. (Dr. Bowring), [A. 65, N. 130, M. 65] 1121

Edinburgh Election,
c. Observations (The Speaker), 209

Eglintoun, Earl of
Commercial Distress—The Currency, Comm. moved for, 516

Ellenborough, Earl of
Hypothecation of Goods (India), Papers moved for, 366
Public Business, State of, 1412

Ellice, Right Hon. E., *Coventry*
Commercial Distress — The Currency, Com. moved for, 546
Railways, Leave, 239

Elphinstone, Lord
Address in Answer to the Speech, 22

Enniskillen, Earl of
Public Works (Ireland), 3R. 1344

Entailed Estates (Scotland),
c. Question (Mr. B. Cochrane), 211

Epiphany Quarter Sessions Bill,
c. 1R.* 1065

Ewart, Mr. W., *Dumfries*
Bank Charter Act, 228
Business of the House, 251
Commercial Distress—The Currency, Comm. moved for, 1032
Criminal Appeal, Court of, 527
Debates, Adjournment of, 1179
Plata, Rio de la, 1437, 1438
Sattara, Rajah of, 254
Taxation, 927
Transportation of an Innocent Man, 1436

Exchequer, Chancellor of the, *see* Chancellor of the Exchequer

Excise Laws,
c. Question (Mr. Hume), 217; (Mr. H. Drummond), 227; (Mr. Frewen), 268

Exeter, Bishop of
Devonport, Spiritual Destitution in, 963

Exeter's, Bishop of, Letter—Dr. Hampden,
c. Question (Mr. H. Grattan), 1355

Fagan, Mr. W., *Cork City*
Crime and Outrage (Ireland), Leave, 328; 2R. Amend. Adj. 747
Parliament of Ireland, Comm. moved for, 789, Amend. Adj. 791, 794, 796

Farnham, Lord
Crime and Outrage (Ireland), Com. 1190
Crime in Ireland, 856
Denunciations from the Altar (Ireland), 675
Murders (Ireland), Petition, 478

Farrer, Mr. J., *Durham, S.*
Roman Catholic Relief, 2R. 850

Fitzwilliam, Earl
Address in Answer to the Speech, 60
Crime and Outrage (Ireland), Com. 1203

Forbes, Mr. W., *Stirlingshire*
Commercial Distress—The Currency, Comm. moved for, 1032, Amend. 1040

Forster, Mr. M., *Berwick-on-Tweed*
Parliament, New Houses of, Comm. moved for, 1332

Fox, Mr. R. M., *Longford*
Crime and Outrage (Ireland), Leave, 341; Com. *cl.* 1, 960, 961

Fox, Mr, W. J., *Oldham*
Jews, Disabilities of the, Comm. moved for, 1265

French, Mr. F., *Roscommon*
Poor Law Administration Act Amendment, Leave, 523
Public Works (Ireland), 2R. 1126
Relief Money (Ireland), 266

Frewen, Mr. C. H., *Sussex, E.*
Hop Duty—Excise Laws, 268
Turnpike Trusts, Amalgamation of, Res. 368, 370

Gardner, Mr. R., *Leicester*
Crime and Outrage (Ireland), 2R. 745

Gladstone, Right Hon. W. E., *Oxford University*
Adjournment—Navigation Laws, 1427
Ecclesiastical Commissioners, Res. 1121
Jews, Disabilities of the, Comm. moved for, 1282
New Zealand Government, Leave, 1009
Roman Catholic Relief, 2R. 840

Gloucestershire, West, Election—Privilege,
c. Comm. moved for (Mr. Wakley), 1067; Adj. Debate, 1353; Motion withdrawn, 1354; Petition referred to the Committee on Privileges, *ib.*

Goulburn, Right Hon. H., *Cambridge University*
Ecclesiastical Commissioners, Res. 1115, 1120
Jews, Disabilities of the, Comm. moved for, 1314
Roman Catholic Relief, 2R. 847
Spirits, British and Foreign, 697

Grace, Mr. O. D. J., *Roscommon*
Crime and Outrage (Ireland), 2R. 910

Grafton, Duke of
Commercial Distress—The Currency, Comm. moved for, 511

Granby, Marquess of, *Stamford*
Commercial Distress—The Currency, Comm. moved for, 604

Granville, Earl of
Railways, 2R. 1123, 1125

Grattan, Mr. H., *Meath Co.*
Address in Answer to the Speech, Amend. 76, 143
Adjournment—Ireland, 1435
Crime and Outrage (Ireland), 2R. 720
Exeter's, Bishop of, Letter, 1355
Parliament of Ireland, Comm. moved for, 768

Greece—Loans,
c. Question (Mr. B. Cochrane), 925

Grey, Earl
Address in Answer to the Speech, 62
Bank Charter Act, 63, 220
Bank of England, 209, 218, 219, 220
Commercial Distress — The Currency, 208; Comm. moved for, 499
Crime and Outrage (Ireland), Com. 1213, 1217
Denunciations from the Altar (Ireland), 695
Medals, Military and Naval, 1052
Public Business, 208, 209
Rome, Diplomatic Relations with, 1061
Slave Trade, The, 207

Grey, Right Hon. Sir G., *Northumberland*
Address in Answer to the Speech, 93; Report, 161
Adjournment (Ireland), 1435
Business of the House, 859
Chancery, Estates (Ireland), Return moved for, 527
Cheltenham Election Petition, Comm. moved for, 1349
Commercial Distress—The Currency, Comm. moved for, 1043
Copyhold Tenures, 924
County Courts, 374
Crime and Outrage, Leave, 270, 351, 358, 363; 2R. 701, 726, 747, 750, 861, 867; Com. *cl.* 1, 960; 3R. 974
Criminal Appeal, Court of, 528
Debates, Adjournment of, 1180
Ecclesiastical Commissioners, Res. 1097, 1120
Entailed Estates (Scotland), 211
Man, Isle of, 269
Measures for Ireland, 371
Parliament of Ireland, Comm. moved for, 752; Amend. 765, 795
Pauper Lunatic Asylum, 530
Poor Law Administration Act Amendment, Leave, 623
Poor Law Unions (Ireland), 1065
Privilege — West Gloucestershire Election, Comm. moved for, 1081; Amend. 1354
Railways, Rep. 998
Roman Catholic Charities, Leave, 213
Roman Catholic Relief, Leave, 213; 2R. 832, 851
Settlement, Law of, 211
Stock in Trade, Rating of, 1439
Taxation of Suitors, Comm. moved for, 519
Transportation of an Innocent Man, 1436

Grosvenor, Right Hon. Lord R., *Middlesex*
Ecclesiastical Commissioners, Res. 1114

Guinness, Mr. R. S., *Kinsale*
Chancery Estates (Ireland), Return moved for, 526

Hall, Sir B., *Marylebone*
Address in Answer to the Speech, 114
Adjournment—Ireland, 1434
Crime and Outrage (Ireland), 2R. 904; 3R. 989
Denunciations from the Altar (Ireland), 1233
Ryan, Right Rev. Dr., 932

Hamburg,
c. Question, (Mr. Hutt), 859

HAMILTON, Mr. G. A., *Dublin University*
Chancery, Estates (Ireland), Return moved for, 526

Hampden, Dr.—The Bishops' Remonstrance,
c. Question (Mr. C. Lushington), 966;—*Bishop of Exeter's Letter* (Mr. H. Grattan), 1355
l. Question (Marquess of Londonderry), 1337

HARDWICKE, Earl of
Denunciations from the Altar (Ireland), 694

HARRIS, Hon. Capt. E. A. J., *Christchurch*
Commercial Distress—The Currency, Comm. moved for, 1044, 1171
Crime and Outrage (Ireland), 2R. 919
Denunciations from the Altar) Ireland), 700, 701

HASTIE, Mr. A., *Paisley*
Commercial Distress—The Currency, Comm. moved for, 1160

Health of Towns,
c. Question (Mr. Baines), 265

HENLEY, Mr. J. W., *Oxfordshire*
Commercial Distress—The Currency, Comm. moved for, 413
Railways, Com. *cl.* 7, 599, 603; Rep. 1001

HERRIES, Right Hon. J. C., *Stamford*
Address in Answer to the Speech, 143
Adjournment, 1430
Commercial Distress—The Currency, Comm. moved for, 618, 1032, 1044, 1158, 1430

HEYWOOD, Mr. J., *Lancashire, N.*
Address in Answer to the Speech, 64
Ecclesiastical Commissioners, Res. 1118

HILL, Lord A. M. C., *Evesham*
Address in Answer to the Speech, Her Majesty's Answer, 227

HINDLEY, Mr. C., *Ashton-under-Lyne*
Adjournment—Commercial Distress, 1426
Bank of England, Returns moved for, 210

HOGG, Sir J. W., *Honiton*
Sattara, Rajah of, 253, 258

Hop Duty—Excise Laws,
c. Question (Mr. Frewen), 268

HOPE, Mr. J. A. B., *Maidstone*
Jews, Disabilities of the, Comm. moved for, 1364

HORSMAN, Mr. E., *Cockermouth*
Crime and Outrage (Ireland), Leave, 321
Ecclesiastical Commissioners, Res. 1083, 1099, 1101, 1118, 1121

HUDSON, Mr. G., *Sunderland*
Crime and Outrage (Ireland), Leave, 357
Private Business, Comm. moved for, 226
Railways, Leave, 243; Com. *cl.* 7, 599, 602

HUME, Mr. J., *Montrose, &c.*
Address in Answer to the Speech, Report, 189, 195
Business of the House, 250
Commercial Distress—The Currency, Comm. moved for, 970; Nomination of Members, Amend. 1030, 1151
Crime and Outrage (Ireland), 2R. 881; 3R. 989
Ecclesiastical Commissioners, Res. 1103
Excise Laws, 217
New Zealand Government, Leave, 1019, 1022
Portugal, 860
Private Business, Comm. moved for, 224
Privilege — West Gloucestershire Election, Comm. moved for, 1075
Railways, Rep. *add. cl.* 1002
Roman Catholic Charities, Leave, 214
Roman Catholic Relief, Leave, 214; 2R. 848
Sattara, Rajah of, 252, 253
Spirits, British and Foreign, 697
Supply, 269, 270

HUTT, Mr. W., *Gateshead*
Hamburg, 859

Hypothecation of Goods (India),
l. Papers moved for (Earl of Ellenborough), 366

India,
Hypothecation of Goods, l. Papers moved for (Earl of Ellenborough), 366
Railways, c. Question (Viscount Jocelyn), 926

INGESTRE, Viscount, *Staffordshire, S.*
Defence of the Country, 1231
Napier, Rear Adm., his Portuguese Pension, 149

INGLIS, Sir R. H., *Oxford University*
Address in Answer to the Speech, 112
Battersea Park, 697
Ecclesiastical Commissioners, Res. 1105
Jews, Disabilities of the, Comm. moved for, Amend. 1249, 1400
Parliament, New Houses of, Comm. moved for, 1332, 1335, 1401
Private Business, Comm. moved for, 1420
Privilege — West Gloucestershire Election, Comm. moved for, 1075
Roman Catholic Charities, Leave, 213
Roman Catholic Relief, Leave, 213; 2R. Amend. 810
Rome, Diplomatic Relations with, 925
Speaker, Choice of a, 6
Stock in Trade, Rating of, 1438

Ireland,
Banking, c. Question (Col. Mure), 267
Cashel, Roman Catholic Clergy of, and Captain Morris, c. Correspondence moved for (The O'Gorman Mahon), 214
Chancery Estates, c. Return moved for (Mr. B. Osborne), 525; Motion withdrawn, 527
Crime and Outrage, see *Crime and Outrage (Ireland) Bill*
Crime in Ireland, l. Petitions (Lord Farnham), 856
Denunciations from the Altar, l. Question (Lord Farnham), 675

Ireland—continued.
c. Question (Hon. Captain Harris), 700; (Sir B. Hall), 1233
Loan, Expenditure of, c. Return moved for (Major Blackall), 477; Motion withdrawn, 478
Measures for, c. Observations (Mr. J. O'Connell), 370
Ministers' Money, l. Petition (Lord Campbell), 855
c. Question (Mr. J. O'Brien), 1233
Murders, l. Petition (Lord Farnham), 478
Parliament of Ireland, c. Comm. moved for (Mr. F. O'Connor), 752
Poor Law, l. Returns (Marquess of Lansdowne), 1406
c. Observations (Mr. Monsell), 1424
Poor Law Unions, c. Question (Lieut. Colonel Dunne), 1065
Public Works, see *Public Works (Ireland) Bill*
Relief Money, c. Question (Mr. F. French), 266
Ryan, Right Rev. Dr., c. Observations (Mr. Monsell), 928
State of, l. Return moved for (Duke of Richmond), 594
Venue, Changing the, c. Question (Sir J. Walsh), 750

JERVIS, Sir J., *see* ATTORNEY GENERAL, The

Jews, Disabilities of the,
c. Comm. moved for (Lord J. Russell), 1234; Adj. Debate, 1356, [A. 253, N. 186, M. 67] 1397

Jews Disabilities Bill,
c. 1R. 1421

JOCELYN, Viscount, *King's Lynn*
Crime and Outrage (Ireland), Leave, 334
Railways (India), 926

JOLLIFFE, Sir W. G. H., *Petersfield*
Turnpike Trusts, Amalgamation of, Res. 369

JONES, Sir W., *Cheltenham*
Cheltenham Election Petition, Comm. moved for, 1351

KEATING, Mr. R., *Waterford Co.*
Crime and Outrage (Ireland), 2R. 746

LABOUCHERE, Right Hon. H., *Taunton*
Address in Answer to the Speech, Report, 199
Cashel, Roman Catholic Clergy of, Correspondence moved for, 216
Commercial Distress—The Currency, Comm. moved for, 1160
Copyright in the Colonies, 751
New Zealand Government, Leave, 1003, 1027
Private Bills, 924
Private Business, Comm. moved for, 221, 225, 1417
Ryan, Right Rev. Dr., 930

Land Tax Commissioners' Names Bill,
c. 1R.* 1231

LANSDOWNE, Marquess of
Address in Answer to the Speech, 42
Commercial Distress—The Currency, Comm. moved for, 481, 491, 516, 517, 518
Crime and Outrage (Ireland), 2R. 1123; Com. 1183; 3R. 1341
Crime in Ireland, 856, 857
Denunciations from the Altar (Ireland), 684, 690
Devonport, Spiritual Destitution in, 965
Hampden, Dr.—The Bishops' Remonstrance, 1338, 1341
Ireland, State of, Return moved for, 596
Poor Law (Ireland), Returns, 1406
Public Business, State of, 1412, 1415, 1416
Rome, Diplomatic Relations with, 1057
Speaker, Choice of a, 8, 9
Switzerland, Affairs of, 1064

LAW, Hon. C. E., *Cambridge University*
Jews, Disabilities of the, Comm. moved for, 1356, 1386

LEFEVRE, Right Hon. C. S., *Hampshire, N.*
Speaker, Choice of a, 6—*see* SPEAKER, The

LEWIS, Mr. G. C., *Herefordshire*
Railways (Ireland), 926, 927
Sattara, Rajah of, 254, 700

LINCOLN, Earl of, *Linlithgow, &c.*
Adjournment—Ireland, &c., 1425
Parliament, New Houses of, Comm. moved for, 1334, 1403
Public Works (Ireland), 2R. 1126
Ryan, Right Rev. Dr., 929

Loan, Irish, Expenditure of,
c. Returns moved for (Major Blackall), 477; Motion withdrawn, 478

LONDONDERRY, Marquess of
Crime and Outrage (Ireland), 3R. 1342
Hampden, Dr.—The Bishops' Remonstrance, 1337

LUSHINGTON, Mr. C., *Westminster*
Hampden, Dr.—The Bishops' Remonstrance, 966

MACGREGOR, Mr. J., *Glasgow*
Commercial Distress, Comm. moved for, 576

MAHER, Mr. N., *Tipperary*
Address in Answer to the Speech, 128
Cashel, Roman Catholic Clergy of, Correspondence moved for, 214

MAHON, Viscount, *Hertford*
Copyright in the Colonies, 751

MAHON, Mr. J. P. O. G. (The O'Gorman Mahon), *Ennis*
Jews, Disabilities of the, Comm. moved for, 1390
Parliament of Ireland, Comm. moved for, 794

MALMESBURY, Earl of
Denunciations from the Altar (Ireland), 688

Malt—Excise Regulations,
c. Question (Mr. H. Drummond), 227

Man, Isle of,
c. Question (Dr. Bowring), 269

Marriage, Law of,
c. Question (Mr. Rice), 373

MASTERMAN, Mr. J., *London*
Commercial Distress—The Currency, Comm. moved for, 588

Measures for Ireland,
c. Observations (Mr. J. O'Connell), 370

Medals, Military and Naval,
l. Question (Duke of Richmond), 1051; (Lord Colville), 1336

Metropolitan Buildings Act,
c. Question (Mr. B. Osborne), 859

MILES, Mr. W., *Somersetshire, E.*
Railways, Com. *cl.* 7, 599

MILNES, Mr. R. M., *Pontefract*
Parliament, New Houses of, Comm. moved for, 1402

Ministers' Money (Ireland),
l. Petition (Lord Campbell), 855
c. Question (Mr. J. O'Brien), 1233

MITCHELL, Mr. T. A., *Bridport*
Commercial Distress—The Currency, Comm. moved for, 569

MOFFATT, Mr. G., *Dartmouth*
Spirits, British and Foreign, 696

MOLESWORTH, Sir W., *Southwark*
Commercial Distress—The Currency, Comm. moved for, 453

MONSELL, Mr. W., *Limerick Co.*
Adjournment—Ireland, &c., 1424
Ryan, Right Rev. Dr., 928

MONTEAGLE, Lord
Ministers' Money (Ireland), 855
Poor Law (Ireland), Returns, 1406
Public Works (Ireland), 2R. 1230, 1231; Rep. 1342; That the Bill do pass, 1344
Railway Accounts, Audit of, 1R. 1405
Railways, 2R. 1125

MOORE, Mr. G. H., *Mayo Co.*
Crime and Outrage (Ireland), 2R. 914

MORPETH, Viscount, *Yorkshire, W. R.*
Battersea Park, 698
Health of Towns, 265, 266
Jews, Disabilities of the, Comm. moved for, 1371
Metropolitan Buildings Act, 859
Parliament, New Houses of, 858; Comm. moved for, 1333, 1334, 1402, 1403, 1404
Ryan, Right Rev. Dr., 933

Morris, Captain, and the Roman Catholic Clergy of Cashel,
c. Correspondence moved for (Mr. Maher), 214

MUNTZ, Mr. G. F., *Birmingham*
Railways, Com. *cl.* 7, 602

Murders (Ireland),
l. Petition (Lord Farnham), 478

MURE, Colonel W., *Renfrewshire*
Banking (Scotland and Ireland), 268

Napier, Rear Admiral—his Portuguese Pension,
c. Question (Viscount Ingestre), 149

National Defences,
c. Observations (Lord J. Russell), 966; Question (Viscount Ingestre), 1231

Navigation Laws,
c. Question (Mr. Sandars), 967; Observations (Rt. Hon. W. E. Gladstone), 1427

Navy, Medals for the,
l. Question (Duke of Richmond), 1051; (Lord Colville), 1336

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Address in Answer to the Speech, Report, 202
Adjournment, 1424
Commercial Distress—The Currency, Comm. moved for, 559, 1139
Jews, Disabilities of the, Comm. moved for, 1365
Roman Catholic Relief, 2R. 838
Tariffs, Foreign, 698, 699

New Zealand Government Bill,
c. Leave, 1003; 1R.* 1030; 2R.* 1417

O'BRIEN, Sir L., *Clare*
Adjournment—Ireland, 1429

O'BRIEN, Mr. J., *Limerick City*
Ministers' Money (Ireland), 1233

O'BRIEN, Mr. W. S., *Limerick Co.*
Crime and Outrage (Ireland), 3R. 976

O'CONNELL, Mr. J., *Limerick City*
Address in Answer to the Speech, 97, 114, 115, 117
Cashel, Roman Catholic Clergy of, Correspondence moved for, 217
Crime and Outrage (Ireland), Leave, 312; 2R. Amend. 701, 860, 861, 867, 923; Com. *cl.* 1, Amend. 960; Rep. 962; 3R. Amend. 974, 983
Denunciations from the Altar (Ireland) 700, 1234
Measures for Ireland, 370, 371
Parliament of Ireland, Comm. moved for, 769, 785, 792, 793, 795
Roman Catholic Relief, 2R. 822, 836
Ryan, Rt. Rev. Dr., 934
Switzerland, 968, 969

O'Connell, Mr. M., *Tralee*
Address in Answer to the Speech, 121
Crime and Outrage (Ireland), Leave, 355, 363; 2R. 741, 750, 897, 910
Parliament of Ireland, Comm. moved for, 788

O'Connell, Mr. M. J., *Kerry*
Crime and Outrage, (Ireland) Leave, 362; 3R. 980

O'Connor, Mr. F., *Nottingham*
Address in Answer to the Speech, 141
Crime and Outrage (Ireland), Leave, 274, 317; 2R. 728; Amend. Adj. 750, 889, 921; Com. 953
Parliament of Ireland, Comm. moved for, 752, 768, 796

O'Flaherty, Mr. A., *Galway*
Crime and Outrage (Ireland), Com. 953
Parliament of Ireland, Comm. moved for, 777

Osborne, Mr. R. B., *Middlesex*
Address in Answer to the Speech, 112; Report, 151
Chancery, Estates (Ireland), Return moved for, 525, 526
Commercial Distress—The Currency, Comm. moved for, 1043, 1137; Amend. 1174, 1176
Metropolitan Buildings Act, 859
National Defences, 966
Parliament, New Houses of, Comm. moved for, 1333, 1335, 1401, 1404
Switzerland, Mediation in, 701

Outlawries Bill,
c. 1R.* 64

Pakington, Sir J. S., *Droitwich*
Bribery and Corruption, 211
Business of the House, 248, 252
Settlement, Law of, 211

Palmer, Mr. R., *Plymouth*
New Zealand Government, Leave, 1016

Palmerston, Viscount, *Tiverton*
Brazil, Trade with, 752;—Commercial Treaty with, 1232
Greece—Loans, 926
Hamburg, 859
Portugal, 860
Rio de la Plata—Blockade of the, 968, 1438
Rome, Diplomatic Relations with, 925
Switzerland, 372, 373, 701, 969
Tariffs, Foreign, 698
Woollens, Spanish Import Duties on, 1355

Parker, Mr. J., *Sheffield*
Shipping—Official Returns, 1440
Supply, 269

Parliament, New Houses of,
c. Question (Viscount Duncan), 858;—Comm. moved for (Sir R. H. Inglis), 1332; Adj. Debate, 1401; Motion withdrawn, 1404

Parliament of Ireland,
c. Question (Sir G. Grey), 752; Comm. moved for (Mr. F. O'Connor), 753; Amend. Adj. (Mr. Fagan), 791; Motion withdrawn, 796; [A. 23, N. 255, M. 232] 797

Parliament, Opening of,
l. 1; Speech of the Lords Commissioners, 11; Address, 14; Her Majesty's Answer, 207
c. 64; Amend. (Mr. H. Grattan), 76; Amend. withdrawn, 143; Report, 151; Her Majesty's Answer, 227

Pattison, Mr. J., *London*
Bank and the Government, 966, 967
Commercial Distress—The Currency, Comm. moved for, 1133, 1159, 1176

Pauper Lunatic Asylum,
c. Question (Mr. Deering), 530

Pechell, Captain G. R., *Brighton*
Poor Law Administration Act Amendment, Leave, 523

Peel, Right Hon. Sir R., *Tamworth*
Cheltenham Election Petition, Comm. moved for, 1350
Commercial Distress—The Currency, Comm. moved for, 427, 650, 973, 1169
Crime and Outrage (Ireland), Leave, 347; 2R. 866
Jews, Disabilities of the, Comm. moved for, 1386
Parliament, New Houses of, Comm. moved for, 1335
Privilege — West Gloucestershire Election, Comm. moved for, 1082
Railways (India), 927

Plata, Rio de la—Blockade of the,
c. Question (Mr. T. Baring), 967; (Mr. Ewart), 1437

Plumptre, Mr. J. E., *Kent, E.*
Ecclesiastical Commissioners, Res. 1097
Jews, Disabilities of the, Comm. moved for, 1321
New Zealand Government, Leave, 1026
Roman Catholic Relief, 2R. 835

Poor Law Administration Act Amendment Bill,
c. Leave, 519; Motion withdrawn, 525

Poor Law Commission, The,
c. Question (Mr. Bankes), 148

Poor Law (Ireland),
l. Returns (Marquess of Lansdowne), 1406

Poor Law Unions (Ireland),
c. Question (Lieut. Col. Dunne), 1065

Portugal—Intervention,
c. Question (Mr. Hume), 860

Power, Mr. M., *Cork Co.*
Crime and Outrage (Ireland), 2R. 718

Private Bills,
c. Question (Mr. Aglionby), 924

Private Business,
c. Comm. moved for (Rt. Hon. H. Labouchere), 221, 1417

Privilege—West Gloucestershire Election,
c. Comm. moved for (Mr. Wakley), 1067; Adj. Debate, 1353; Motion withdrawn, 1354; Petition referred to the Committee on Privileges, *ib.*

Public Business,
l. Question (Lord Redesdale), 208; Observations (Earl of Ellenborough), 1412
c. Observations (Mr. Brotherton), 210

Public Works (Ireland) Bill,
c. 1R.* 750; 2R.* 858; Rep.* 1065; 3R. 1126
l. 1R.* 1123; 2R. 1230; Rep. 1342; 3R. 1344; That the Bill do pass, [Contents 5, Not-Contents 4, M. 1] 1344; Royal Assent, 1404

Railway Accounts, Audit of, Bill,
l. 1R. 1405

Railway Bills,
c. Comm. moved for (Chancellor of the Exchequer), 248

Railways (India),
c. Question (Viscount Jocelyn), 926

Railways Bill,
c. Leave, 228; 1R.* 248; 2R.* 265; Com. 597; *cl.* 7, 599; Rep. *add. cl.* (Rt. Hon. E. Strutt), 1000; 3R.* 1066; Bill passed, 1067
l. 1R.* 1045; 2R. 1123; Rep.* 1182; 3R.* 1335; Royal Assent, 1404

Real Property Commission,
l. Papers moved for (Lord Brougham), 1407

REDESDALE, Lord
Bank Charter Act, 63
Public Business, 208

Relief Money (Ireland),
c. Question (Mr. F. French), 266

REYNOLDS, Mr. J., *Dublin City*
Commercial Distress—The Currency, Comm. moved for, 643, 1043, 1175
Crime and Outrage (Ireland), Leave, Amend. Adj. 362; Com. 954
Parliament of Ireland, Comm. moved for, 777
Ryan, Right Rev. Dr., 935

RICARDO, Mr. J. L., *Stoke-upon-Trent*
Railways, Com. *cl.* 7, 603

RICE, Mr. E. R., *Dover*
Marriage, Law of, 373

RICHMOND, Duke of
Ireland, State of, Return moved for, 594
Medals, Military and Naval, 1051

Rio de la Plata—Blockade of the,
c. Question (Mr. T. Baring), 967; (Mr. Ewart), 1437

ROBINSON, Mr. G. R., *Poole*
Address in Answer to the Speech, 188
Commercial Distress—The Currency, Comm. moved for, 446, 1171
Crime and Outrage (Ireland), 3R. 979

ROCHE, Mr. E. B., *Cork Co.*
Address in Answer to the Speech, 86
Crime and Outrage (Ireland), 2R. 923
Parliament of Ireland, Comm. moved for, 784, 792, 794

ROCHESTER, Bishop of
Hampden, Dr.—The Bishops' Remonstrance, 1339

RODEN, Earl of
Address in Answer to the Speech, 58

Roman Catholic Absolution,
l. Petitions (Lord Brougham), 1405

Roman Catholic Bulls,
l. Petition (Bishop of St. Asaph), 674

Roman Catholic Charitable Trusts Bill,
c. Leave, 211; 1R.* 220

Roman Catholic Relief Bill,
c. Leave, 211; 1R.* 220; 2R. 800, [A. 168, N. 135, M. 33] 852

Rome, Diplomatic Relations with,
c. Question (Sir R. H. Inglis), 925
l. Observations (Lord Stanley), 1052

ROMILLY, Mr. J., *Devonport*
Jews, Disabilities of the, Comm. moved for, 1308
Taxation of Suitors, Comm. moved for, 518

RUSSELL, Right Hon. Lord J., *London*
Address in Answer to the Speech, 177
Adjournment, 1421, 1431
Bribery and Corruption, 211
Business of the House, 251
Cheltenham Election Petition, Comm. moved for, 1351; Nomination of Comm. 1442
Church Rates, 1233
Colonies, Under Secretary of State for the, 149; Assistant Under Secretary, 228
Commercial Distress—The Currency, Comm. moved for, 557, 628, 1168, 1431
Crime and Outrage (Ireland), Leave, 362; 3R. 986, 989
Ecclesiastical Commissioners, Res. 1111
Hampden, Dr.—The Bishops' Remonstrance, 966
Jews, Disabilities of the, Comm. moved for, 1234, 1276, 1290, 1359, 1394, 1401; 1R. 1421
National Defences, 966, 1231
Poor Law Administration Act Amendment, Leave, 522
Poor Law Commission, The, 148
Privilege — West Gloucestershire Election, Comm. moved for, 1076
Speaker, Choice of a, 8
Supply, 269, 270

Ryan, Rt. Rev. Dr.,
c. Observations (Mr. Monsell), 928

St. Asaph, Bishop of
Roman Catholic Bulls, 674

St. Germans, Earl of
Crime and Outrage (Ireland), Com. 1205
Ministers' Money (Ireland), 855
Public Works (Ireland), 2R. 1230

Salisbury, Marquess of
Crime and Outrage (Ireland), Com. 1207

Salwey, Colonel H., *Ludlow*
Church Rates, 1233

Sandars, Mr. G., *Wakefield*
Commercial Distress — The Currency, Com. moved for, 578
Corn and Navigation Laws, 967

Sattara, Rajah of,
c. Question (Mr. Hume), 252; (Mr. G. Thompson), 699

Scotland,
Banking, c. Question (Colonel Mure), 268; Observations (Mr. J. A. Smith), 860
Entailed Estates, c. Question (Mr. B. Cochrane), 211

Scott, Hon. F., *Berwickshire*
Address in Answer to the Speech, Report, 205
Commercial Distress—The Currency, Comm. moved for, 1042
Railways, Com. *cl.* 7, 603

Scrope, Mr, G. P., *Stroud*
Adjournment—Ireland, &c., 1425
Crime and Outrage (Ireland), Leave, 343; Com. 944

Scully, Mr. F., *Tipperary*
Crime and Outrage (Ireland), Com. 951

Settlement, Law of,
c. Question (Sir J. Pakington), 211

Seymour, Lord, *Totness*
Speaker, Choice of a, 3

Sheil, Right Hon. R. L., *Dungarvon*
Roman Catholic Relief, 2R. 823, 845

Shipping—Official Returns,
c. Observations (Lord G. Bentinck), 1439

Sibthorp, Colonel C. D. W., *Lincoln*
Adjournment, 1428
Commercial Distress—The Currency, Comm. moved for, 1031, 1168
Crime and Outrage (Ireland), Com. *add. cl.* 962
Jews, Disabilities of the, 1R. 1421
Parliament, New Houses of, Comm. moved for, 1334
Private Business, Comm. moved for, 225
Railways, Leave, 238; Com. 597

Slave Trade, The,
l. Question (Lord Brougham), 207

Smith, Right Hon. R. V., *Northampton*
New Zealand Government, Leave, 1014

Smith, Mr. J. A., *Chichester*
Banks (Scotland), 860
Speaker, Choice of a, 4

Smith, Mr. J. B., *Stirling*
Commercial Distress—The Currency, Comm. moved for, 1158

Solicitor General, The (Sir D. Dundas), *Sutherlandshire*
Cheltenham Election Petition, Comm. moved for, 1346

Somerville, Sir W. M., *Drogheda*
Address in Answer to the Speech, 129
Crime and Outrage (Ireland), 2R. 905
Denunciations from the Altar (Ireland), 1234
Ministers' Money (Ireland), 1233

Spain—Import Duties on Woollens,
c. Question (Mr. Bankes), 1354

Speaker, Choice of a, c. 3
l. 8; Approval by Her Majesty, 10

Speaker, The (Right Hon. C. S. Lefevre), *Hampshire, N.*
Commercial Distress—The Currency, Comm. moved for, 1158
Crime and Outrage (Ireland), 2R. 861
Denunciations from the Altar (Ireland), 701
Edinburgh Election, 209
Parliament of Ireland, Comm. moved for, 791, 792, 794
Railways, Rep. *add. cl.*, 1002
Speaker, Choice of a, 7, 9; Approval of, 10
Switzerland, 969
Tariffs, Foreign, 699

Speech of the Lords Commissioners,
l. 11; Address, 14; Her Majesty's Answer, 207
c. 64; Amend. (Mr. H. Grattan), 76; Amend. withdrawn, 143; Report, 151; Her Majesty's Answer, 227

Spencer, Earl
Address in Answer to the Speech, Her Majesty's Answer, 207

Spirits, British and Foreign,
c. Question (Mr. Moffatt), 696

Spiritual Destitution in Devonport,
l. Observations (Bishop of Exeter), 963

Spooner, Mr. R., *Warwickshire, N.*
Adjournment, Amend. 1422, 1436
Commercial Distress—The Currency, Comm. moved for, 399, 1422

STAFFORD, Mr. A. S. O., *Northamptonshire, N.*
Address in Answer to the Speech, 136
Commercial Distress—The Currency, Comm. moved for, 1157
Railways, Com. *cl.* 7, 602; Rep. 991
Ryan, Right Rev. Dr., 931

STANLEY, Lord
Address in Answer to the Speech, 16, 22
Commercial Distress—The Currency, 207, 208; Comm. moved for, 489, 518
Crime and Outrage (Ireland), Com. 1211
Denunciations from the Altar (Ireland), 689
Ministers' Money (Ireland), 855
Railways, 2R., 1123
Rome, Diplomatic Relations with, 1052, 1060

Stock in Trade, Rating of,
c. Question (Sir R. Inglis), 1438

STRUTT, Right Hon. E., *Derby*
Private Business, Comm. moved for, 226
Railways, Com. *cl.* 7, 602; Rep. *add. cl.* 1000, 1001
Turnpike Trusts, Amalgamation of, Res. 369

STUART, Lord D. C., *Marylebone*
Crime and Outrage (Ireland), 2R. 893
Privilege — West Gloucestershire Election, Comm. moved for, 1076

STUART, Mr. J., *Newark-upon-Trent*
Commercial Distress—The Currency, Comm. moved for, Amend. Adj., 672
Roman Catholic Relief, 2R. 850

Suitors, Taxation of,
c. Comm. moved for (Mr. Romilly), 518

Supply,
c. 269

Switzerland, Affairs of,
c. Question (Mr. Urquhart), 372; (Mr. B. Osborne), 701; (Mr. J. O'Connell), 968
l. Question (Lord Beaumont), 1062

Tariffs, Foreign,
c. Question (Mr. Newdegate), 698

Taxation,
c. Question (Mr. Ewart), 927

Taxation of Suitors,
c. Comm. moved for (Mr. Romilly), 518

THESIGER, Sir F., *Abingdon*
Cheltenham Election Petition, Comm. moved for, 1348
Privilege — West Gloucestershire Election, Comm. moved for, 1078

THOMPSON, Mr. G., *Tower Hamlets*
Sattara, Rajah of, 255, 699

THORNELY, Mr. T., *Wolverhampton*
Brazil, Commercial Treaty with, 1232
Private Business, Comm. moved for, 225

Transportation of an Innocent Man,
c. Question (Mr. Ewart), 1436

TRELAWNY, Mr. J. S., *Tavistock*
Parliament of Ireland, Comm. moved for, 774

Turnpike Trusts, Amalgamation of,
c. Res. (Mr. Frewen), 367; Motion withdrawn, 370

Under Secretary for the Colonies,
c. Question (Mr. C. Anstey), 149; *Assistant Under Secretary*, Question (Mr. C. Anstey), 228

URQUHART, Mr. D., *Stafford*
Buron *v.* Denman, Case of, 1066
Commercial Distress—The Currency, Comm. moved for, 531, 971
Switzerland, 372, 373

VANE, Lord H., *Durham, S.*
Parliament, New Houses, Comm. moved for, 1333

Venue, Changing the (Ireland),
c. Question (Sir J. Walsh), 750

VERNER, Colonel Sir W., *Armagh Co.*
Crime and Outrage (Ireland), 2R. 920; Com. 936

VERNEY, Sir H., *Bedford*
Jews, Disabilities of the, Comm. moved for, 1377

WAKLEY, Mr. T., *Finsbury*
Commercial Distress—The Currency, Comm. moved for, 1041, 1148, Amend. 1165; Amend. Adj., 1167, 1170
Crime and Outrage (Ireland), Leave, Amend. 360
Parliament, New Houses of, Comm. moved for, 1402
Privilege — West Gloucestershire Election, Comm. moved for, 1067, 1072, 1073, 1081, 1354
Sattara, Rajah of, 264

WALPOLE, Mr. S. H., *Midhurst*
Cheltenham Election Petition, Comm. moved for, 1345; Nomination of Comm. 1441
County Courts, 374
Roman Catholic Relief, 2R. 827

WALSH, Sir J. B., *Radnorshire*
Ryan, Right Rev. Dr., 934
Venue, Changing the (Ireland), 750

WALTER, Mr. J., *Nottingham*
Parliament of Ireland, Comm. moved for, 791, 702, 793

WARD, Mr. H. G., *Sheffield*
Napier, Rear Admiral, his Portuguese Pension, 149

WHARNCLIFFE, Lord
Commercial Distress—The Currency, Comm. moved for, 616

WILLOUGHBY, Sir H. P., *Evesham*
Debates, Adjournment of, 1181

WILSON, Mr. J., *Westbury*
Brazil, Trade with, 751
Commercial Distress—The Currency, Comm. moved for, Amend. 414

WINCHILSEA, Earl of
Crime and Outrage (Ireland), 3R., 1341

WOOD, Right Hon. Sir C., *see* CHANCELLOR OF THE EXCHEQUER

WOOD, Mr. W. P., *Oxford*
Ecclesiastical Commissioners, Res. 1109
Railways, Com. *cl.* 7, 603

Woollens, Spanish Import Duty on, c. Question (Mr. Bankes), 1354

WORTLEY, Right Hon. J. A. S., *Buteshire*
Marriage, Law of, 373

WYLD, Mr. J., *Bodmin*
Railways, Rep. *add. cl.* 1002; That the Bill do pass, 1066

YARBOROUGH, Earl of
Address in Answer to the Speech, 14

ERRATUM.

Page 342, line 17, *for* Viscount Barnard, *read* Viscount Bernard.

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